

ENVIRONMENT FOR EUROPE PROCESS: EFFECTIVENESS IMPLEMENTATION REPORT



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EXECUTIVE SUMMARY

In the course of preparation of the Sixth EfE Ministerial Conference, the European ECO–Forum has assessed the efficiency of Environment for Europe process over the 16 years since the first EfE Ministerial Conference. The following major achievements have been identified:

- The Environment for Europe process still remains relevant. Moreover, it continues to play a leading role in development of specific programs, plans and strategies for improvement of environmental quality in the region.
- Many initiatives, approved in the course of Ministerial Conference and UNECE preparatory meetings serve as models for other regions.
- In the framework of EfE, a unique system of East–West partnerships was developed. At the initial stage of the process, economies in transition were recognised as environmental hot–spots. In early 1990s, these countries entered a complex transition from command–and–control economies and totalitarian societies to market economy and democratic societies. Co–operation between countries in the framework of EfE allowed to mitigate environmental degradation in difficult conditions of the transition.
- The Task Force for Implementation of the Environmental Action Program for CEE (EAP Task Force) played a major role in promotion of environmental policy reforms in the new realities, in capacity building of transition economies, particularly in the course of reforms in the sphere of political instruments, environmental financing and environmental management at enterprises.
- The Strategy of Education for Sustainable Development (ESD) was approved. It has become an incentive and a cornerstone of the process of ESD development in the region. The Strategy has provided a framework for action and initiated a dialogue and interaction between environmental and education ministries of UN ECE countries. In addition, the Strategy necessitated appointment of officials in charge of ESD and development of national action plans in the sphere of ESD.
- Regular Environmental Assessment Reports are published on environmental quality in UN ECE region. These reports provide baseline data to assess efficiency of the whole EfE process and quality of implementation of decisions made in the

process. Since the Fifth EfE Ministerial in Kiev, these assessments are progressively covering more and more countries of the Pan European region including EECCA and SEE (South–east Europe) countries. Use of the assessment report data gives information on the current quality of the Eurasia environment, while a comparative analysis of reports for different years means that any agency can identify significant environmental problems of the region clearly, and thus decide on issues to focus on and resource allocation.

- Progressive decisions were made on energy efficiency matters and reflected in the Kiev Political Statement and the Aarhus Ministerial Declaration.
- The Aarhus Convention on Access to Information, Public Participation and Access to Justice on Environmental Matters has come into effect. Importance of the Convention is not limited to its requirements to the Parties pertaining to provision of opportunities for civil society participation in decision–making on matters of environmental significance. The Aarhus Convention and Protocols to the Convention are opened for accession of all countries, including countries outside the UN ECE region – as a result, the Convention promotes open access to environmental information and public participation at global, regional and national levels.
- In the framework of EfE process, a unique system of interaction with NGOs was developed – one unprecedented in international processes. Non–governmental organisations became significant and officially recognised partners in the process, they participate in the Working Group of Senior Officials, bureaus, editorial commissions and expert meetings; they enjoy unique opportunities to provide their comments, participate in drafting Ministerial Declaration and participate actively in implementation of EfE decisions.

Notwithstanding obvious achievements of the EfE process, environmental decline in the region continues. It is necessary to improve efficiency of the process, but there are serious obstacles for improvement:

- Insufficient political will to achieve specific results in some countries and in the regional context;
- Non–existent mechanisms for implementation of approved decisions at the national level in many countries;

- Lack of necessary co-operation between different ministries and agencies in the course of implementation of EfE decisions at the national level, weak involvement of economic and finance ministries and other branch ministries into the EfE process;
- Insufficient activities by EECCA Governments in the framework of EfE. However, notwithstanding the low status of Ministries of Environment in Governments of EECCA countries, frequent restructuring and personnel reshuffle, EfE helps to promote environmental reforms in these countries, facilitates capacity building and provides political support to Ministries of Environment;
- Inadequate financing of EfE projects and programs;
- The majority of interim biodiversity conservation targets set at the Kiev Ministerial Conference have not been reached. There are serious doubts that the target of 2010 (one of the Millennium Development Goals and the responsibility taken by the ministers in 2003) may be reached without substantial additional efforts. Some countries are pushing biodiversity conservation activities outside the framework of the EfE process;
- So far, targets for energy efficiency and development of renewable energy have not been set. Notwithstanding that many countries of the region, particularly EU member-states have made substantial efforts to ensure a maximal possible reduction of fossil fuel consumption and to enhance energy efficiency, economies in transition still lag behind in the sphere;
- Insufficiently active provision of environmental information on both the EfE process itself and a broad range of environmental problems. At the same time, structural changes of information management in countries are extremely slow;
- Notwithstanding the approval of the Protocol on Pollutant Release and Transfer Registers to the Aarhus Convention and the Protocol on Persistent Organic Pollutants and Heavy Metals, environmental pollution by hazardous chemicals continues to grow in the UN ECE region. Risks of adverse health impacts of toxic chemicals, industrial and radioactive contamination seriously affect all citizens of the Pan European region. Quality of air, water, soils and urban environments continues to decline in almost all areas;
- The establishment of new RECs in the EECCA did not meet the expectations. There is lack of broad dialogue on improvement of effectiveness of the new RECs in the EECCA region.

Notwithstanding the above problems, ECO-Forum objects the attempts to belittle the EfE process and to downgrade its importance. ECO Forum believes that the following points are relevant for further development and improvement of the EfE process. The EfE process should

- officially place sustainable production and consumption into the centre of attention of ministers and make it a binding issue of EfE process;
- Focus on fulfilment of already made commitments in EfE process, in order to achieve substantial results and qualitative improvement of environmental situation in the region;
- Work to improve intersectoral co-operation and partnership initiatives;
- Build the capacity of transition economies for addressing significant environmental problems of the region;
- Mobilise additional and new sources of financing, to enhance the efficiency of use of finance resources;
- Preserve the Pan-European scope of the process by strengthening and developing cooperation between subregions with the objective to achieve common environmental and sustainable development goals in the region.

THE HISTORY OF THE PROCESS

The “Environment for Europe” ministerial process was initiated in 1991 by Josef Vavrousek, Minister of the Environment of what was then Czechoslovakia. He invited his counterparts to Dobris Castle, where they held their first “Environment for Europe” Conference.

Since then five “Environment for Europe” Conferences have been held. All of them have resulted in concrete decisions and outcomes with the goal of protecting the environment by strengthening partnership, improving access to information and public involvement, technology transfer and implementation of good practice examples.

Each Conference reviewed the progress of the work that has been done. Each has helped to intensify cooperation, identify the most problematic fields and start new initiatives and partnerships. As new environmental problems emerged Ministers of the Environment did their best to develop strategies, plans and programmes aimed at better addressing emerging as well as already existing problems.

Serious attention was paid to the efficiency and cost– effectiveness of the process. They declared that “process should build on the work done so far and, in particular, move forward from policy commitments to practical implementation” (The fourth Ministerial Conference “Environment for Europe”, paragraph 61 of the Ministerial Declaration).

It is also important to recognise how global initiatives have had significant impact on the Environment for Europe process. The outcomes of the World Summit on Sustainable Development (Johannesburg, 2002) and the European Union enlargement processes both had been reflected in the decisions of the fifth Environment for Europe Conference held in Kiev in Spring 2003.

There have now been five regional conferences within the framework of the “Environment for Europe” process (these are referred to in the text by their names):

- Dobris (1991)
- Lucerne (1993)
- Sofia (1995)
- Aarhus (1997)
- Kiev (2003)

The Conference in Belgrade will be the sixth in the series.

A REVIEW OF THE OFFICIAL EFE PROCESS

PROGRAMMES AND INITIATIVES

Environmental Programme for Europe

The 1991 Dobris Ministerial Conference “Environment for Europe” envisaged the development of an Environmental Programme for Europe (EPE) in the light of the assessment document, “to serve as the framework for the better coordination of national and international efforts in Europe, focusing on central and eastern Europe” (paragraph 32 of the Conclusions of the Conference). Another task of the Programme was to identify priorities for the repair and restoration of existing environmental damage and the prevention of future problems.

Elements for a Long-Term EPE were endorsed in 1993 in Lucerne. The EPE was endorsed in 1995 in Sofia where the Ministers also adopted the “Key Recommendations of the Environmental Programme for Europe”.

At the Aarhus Conference the “Progress Report on the Implementation of the Environmental Programme for Europe” was submitted by the ECE Committee on Environmental policy. The Report presented the results of the work on priority EPE issues and provided information on the progress made in the activities under the auspices of ECE which were of direct relevance to specific EPE recommendations. The following EPE elements were covered:

- the application of economic instruments in integrating environmental policy with sectoral policies;
- local initiatives towards sustainable consumption matters;
- energy conservation in Europe;
- a strategy to phase out leaded petrol;
- access to information and public participation in environmental decision-making;
- ratification, compliance and enforcement of international legal instruments on the environment; integration of environmental policy with transport policy;
- environmental performance reviews and capacity building.

The Report also contained proposals on each of the mentioned elements which were submitted to the Conference and endorsed by the Ministers.

The Ministerial Declaration also renewed the task of the ECE Committee on Environmental Policy to screen the EPE “in order to implement priority actions on a pan-European level within the context of its long-term programme of work” (paragraph 63 of Aarhus Ministerial Declaration).

The Kiev Ministerial Declaration mentions the EPE only once, when listing the achievements of the “Environment for Europe” process and the role the three assessment reports on the state of Europe’s environment have played in it. More attention is paid to the growing role of the Environmental Action Programme for Central and Eastern Europe (EAP), Environmental Performance Reviews (EPRs) and the Project Preparation Committee (PPC). EPE has a clear link with EAP. It is based upon the same recognition. Whereas EAP addresses short-term environmental issues for which early action is needed, EPE provides a framework towards sustainable development in the longer term.

There were a number of reasons for such a “shift of attention”. The EPE was the first attempt to set long-term environmental priorities at the pan-European level. It was intended to enhance the coordination of national and international efforts to improve the state of the environment and to promote the convergence of environmental quality and policies throughout Europe, as well as to make Agenda 21 more operational in the European context, particularly its provisions relating to the integration of environmental policy with other policies.

The introduction and the structure of the EPE were also directly linked with the assessment of the state of Europe’s environment. The Kiev Assessment covered all countries of Eastern Europe, the Caucasus and Central Asia (EECCA) for the first time, showing a clear trend towards eventual coverage of the entire UN ECE region. Along with that a number of the EPE focus areas before Kiev Conference were on the eve of becoming new Member States of the enlarged European Union; hence there had to be a distinction made in

approaches between those states and other SEE and EECCA countries. The redirected EAP with a larger concentration of efforts on EECCA countries served better for that purpose.

The Environmental Action Programme for Central and Eastern Europe:

At the Lucerne conference the Environment Ministers endorsed the broad strategy contained in the Environmental Action Programme for Central and Eastern Europe (EAP) as a basis for action by national and local governments, the Commission of the European Communities and by international organisations and financial institutions and private investors active in the region.

“The EAP represents a consensus on a broad approach based on three main pillars:

- the integration of environmental considerations into the process of economic reconstruction to ensure sustainable development;
- institutional capacity building, including an efficient legal and administrative framework as well as managing capacity, training and education;
- immediate assistance programmes comprising actions, which bring immediate or short term relief to regions where human health or natural ecosystems are severely jeopardized by environmental hazards, taking into account also transboundary environmental problems. The EAP also offers illustrative investment projects for priority areas” (paragraph 7 of the Ministerial Declaration).

As mentioned above, the EAP has a clear link with the EPE. The EAP has short-term goals and outlines how different environmental problems may be addressed in a cost effective manner, drawing on the experience of past and current programmes and offering proposals for reinforcing or reorienting ongoing programmes and improving their coordination. It emphasizes the need for international cooperation through various forms, including investments and joint ventures, for the facilitation of the transfer of environmentally sound technologies, and for the move towards applying international standards, bearing in mind economic and financial problems as a result of the transition to a market economy.

To facilitate the implementation of the EAP, a Task Force was established by the Ministers and “co-chaired by the Commission of the European Communities, together with a Central and Eastern European country on a rotating basis, and with the

OECD as the secretariat, actively supported by the World Bank and the EBRD, and with participation of interested governments and other international organisations and financial institutions” (paragraph 27 of Lucerne Declaration). The Task Force, in pursuing its institutional and policy work, had to liaise with the Project Preparation Committee (PPC) concerning investments coordinated through the Project Preparation framework. The Task Force also received a mandate to facilitate support for national and local project preparation and investment bodies.

In Sofia the Ministers of Environment welcomed the positive results achieved by CEE countries and their partners in implementing the EAP. They endorsed the continuation of the Task Force and encouraged the CEE countries to assume greater ownership of the EAP implementation process.

In Aarhus it was decided to refocus the EAP on the CEE countries and NIS, not included in the EU pre-accession process. The Kiev Conference stated that “the EAP Task Force has played an effective role in promoting environmental policy reform and capacity building in countries with economies in transition, particularly in reforming policy instruments, environmental financing, environmental management in enterprises and urban water sector reform” (paragraph 7 of the Ministerial Declaration).

As an essential element of the future development of the EfE process, the ministers decided to phase out the Central and East European sub-programme of work of the EAP Task Force and invited the EAP Task Force “to lead efforts to facilitate and support, in cooperation with other relevant international bodies and RECs (Regional Environmental Centres), the achievement of the objectives of the Environmental Partnerships Strategy by East European, Caucasian and Central Asian countries. Achieving these goals will include facilitating policy and institutional reform, capacity building, development of civil society, transfer of lessons learned and best practice, cross-border cooperation and environment-related investments in Eastern Europe, the Caucasus and Central Asia”.

National Environmental Action Programmes:

The National Environmental Action Programmes (NEAPs) were seen as an essential element of the EAP implementation. The Framework Document for Developing NEAPs was developed before the Sofia Conference and the EAP Task Force had to evaluate

the progress in NEAPs' implementation by the end of 1997.

In 1998 the EAP Task Force presented the Report "Evaluation of Progress in Developing and Implementing National Environmental Action Programmes (NEAPs) in CEEC/NIS" which the Environment Ministers welcomed noting that the principles of the EAP remain valid.

Environmental Performance Reviews:

The OECD Country Environmental Performance Review (EPR) Programme was decided upon at the "Environment for Europe" Ministerial Conference in Lucerne. It should have been gradually extended in cooperation with UN ECE to all of ECE. EPRs were also mentioned among the elements for a long-term EPE.

As a voluntary exercise, the EPR is undertaken only at the request of the country itself at the ministerial level. It starts with an agreement on the structure of the report between UN ECE and high officials of the candidate country. The assessing team is made up of experts from all over the ECE region, and is flexible to meet the needs of the reviewed country. This team meets with national experts to discuss the problems encountered in environmental management and the integration of environmental considerations in economic sectors. The team's final report contains recommendations for further improvement, taking into consideration the country's progress in the current transition period. The ad hoc Expert Group on EPRs conducts an expert review of each country; the UN ECE Committee on Environmental Policy carries out a peer review.

In the Progress Report on the Implementation of the EPE the idea of establishing a system of national EPRs for the entire ECE region was reiterated. The UN ECE programme of EPRs as well as other analytical and advisory work of partners in the EfE process, have made it possible to assess the effectiveness of the efforts of countries with economies in transition to manage the environment, and to offer the governments concerned tailor-made recommendations on improving environmental management to reduce pollution loads, to better integrate environmental policies into sectoral policies and to strengthen cooperation with the international community.

Though EPRs were implemented independently under the auspices of the UN Committee on Environmental Policy (in parallel with the EfE process), ministers at the fifth Ministerial Conference "Environment for Europe," in Kiev welcomed the

Report "Environmental policy in transition: Lessons from 10 years of EPRs" and supported the implementation of its recommendations as well programme follow up. Results of EPRs analysis is an important material to develop environmental policy in the region taking into account concrete successes and problems of countries involved.

Environmental Partnership Strategy:

The Environmental Partnership Strategy ["Environmental Partnerships in the UN ECE Region: Environmental Strategy for Countries of Eastern Europe, the Caucasus and Central Asia. Strategic framework"] (EPS) was adopted at Kiev. The EPS is intended to contribute to improving environmental conditions and to implementing the WSSD Plan of Implementation in the EECCA by strengthening efforts of these countries in environmental protection and by facilitating partnership and cooperation between these countries and other countries of the UN ECE region, including all stakeholders.

In Aarhus Ministers of the Environment decided that the EfE process should be refocused on the needs of the NIS countries. The demand for a Strategy, responding to the needs of the sustainable development of the EECCA countries, had been demonstrated by the initiative of Ministers of the Environment of these countries, agreed in the Hague in April 2002, and confirmed during the WSSD by the launch of the New East-West Environmental Partnership supported by Ministers of partner countries. The Strategy aims to find solutions to common environmental problems of the EECCA countries on the basis of close cooperation. The responsibility for achieving the objectives of the EPS lies with the EECCA countries with support from their partners" (paragraphs 61 and 62 of the Ministerial Declaration).

Assessment (report) on the state of the environment in Europe:

At the first Ministerial Conference in Dobris the Ministers stressed the need to improve the environmental information and monitoring system in Europe. They discussed the possibility to develop a report describing the state of the environment in Europe, serving as a first step towards the integration of environmental information systems throughout Europe; providing a basis for the effective implementation of environmental policies and strategies; and being a useful tool to inform the public and raise awareness about environmental problems. To this end the Ministers voted for the prompt

establishment of the European Environment Agency as an EC institution open to other countries.

“Europe’s Environment – The Dobris Assessment” was submitted to the Sofia conference. For the first time ever, a report has been compiled in which the pan-European environment was appraised as a unit. In the Dobris Assessment the information from Central and Eastern Europe was combined with that of Western Europe. This gave an integral view of environmental problems in Europe and of Europe’s place and role in a global environmental context.

One of the strengths of the Dobris Assessment lies in the link which was made between environmental problems and economic sectors. In the report, the human activities causing environmental pressures were grouped into the following sectors:

- energy;
- industry;
- transport;
- agriculture;
- forestry;
- fishing and aquaculture;
- tourism and recreation;
- households.

For each of these activities the Dobris Assessment identified the potential impacts on the air, water, soil and land and on nature and wildlife and landscapes. In this way, a link was made between the human activities which were at the origin of environmental pressures and the environmental problems. This allowed the determination of goals and strategies in terms of human activities for each of those environmental problems. The report helped to direct policy developments aimed at integrating environmental aspects into sectoral policies.

The Second Report on the state of the environment in Europe “Europe’s Environment: The Second Assessment” was prepared by the European Environment Agency for the Aarhus Conference. The Ministers acknowledged that mechanisms for coordinated monitoring, data collection, processing and management in the European region were still inadequate. They welcomed the report and noted that despite some pressures have been reduced, that had not generally led to an improvement in the state or quality of the environment of Europe. “We are therefore required to take further action, in particular in the following fields: transport, agriculture, energy, chemicals, surface, subterranean, coastal and marine waters, soil, and biodiversity.

The Third (Kiev) Assessment covered all of EECCA region for the first time. Along with the Report, a review entitled “Lessons Learned from Data Collection for the Kiev Assessment” was circulated at the Conference. It showed the main obstacles in the process of collecting data for a comprehensive review on the state of Europe’s environment. Taking its findings into account the Ministers called for active collaboration to enhance the international comparability of environmental information in priority areas such as air emissions, urban air quality, transboundary inland and groundwater pollution, marine pollution, chemicals, hazardous waste, waste management, human health and biodiversity. They invited the relevant stakeholders to take part in implementing the recommendations for improving monitoring capacities in the region. They also endorsed the “Recommendations on Strengthening National Environmental Monitoring and Information Systems in EECCA”, and the “Guidelines on the Development of State-of-the-Environment Reporting” in these countries.

Institutional framework

The Project Preparation Committee:

The Project Preparation Committee (PPC) was established by Lucerne Ministerial Conference “Environment for Europe” as a “framework to facilitate the project preparation and investment process. Its objectives will be to strengthen the linkage between donors, international financial institutions and Central and Eastern European countries, and facilitate the mobilisation of resources for the region, for the purpose of investment and helping channel new and existing resources into the region” (paragraph 10.1 of the Ministerial Declaration).

UN ECE Member States were invited to establish and strengthen national and local bodies, for the identification, preparation and implementation of investment projects, as appropriate. The PPC was composed of significant donors contributing to the project preparation framework, and the international financial institutions, with the full participation of the CEE countries. It was agreed that the PPC would help to provide feasibility studies leading to concrete investment projects and to identify possible sources of financing for small projects as well as large capital intensive projects, including private sector projects. It would take into account efforts within the wider context of EAP-implementation to develop the capacity in CEE countries to elaborate project proposals.

In Sofia the Ministers endorsed the achievements of the PPC and committed themselves to supporting the continuation of its activities so as to facilitate and strengthen environmental investments in CEE countries. The Ministerial Declaration stated that the PPC should strengthen its cooperation with CEE countries and, in conjunction with NEAPs, identify, prepare and develop economically viable environmental investment projects. “The PPC should also continue to work closely with the EAP Task Force to enable it to integrate policy reform, institutional strengthening and investment efforts” (paragraph 8 of the Ministerial Declaration).

The Aarhus and Kiev Ministerial Conferences have redirected the activities of the PPC in the same way as with the EAP Task Force. In Aarhus the Ministers decided that the PPC should respond to the particular need for external financing and for proactive coordination among clients, host governments, donors and international financial institutions in the NIS and the CEE countries which are not involved in the EU enlargement process. In Kiev the decision was made to phase out the PPC’s work in the accession countries by 2004 and to continue the work of the EAP Task Force and the PPC together, including through joint annual meetings and with a common Bureau.

The Regional Environmental Centres (RECs):

In Dobris the Ministers welcomed the start of the Regional Environmental Centre for Central and Eastern Europe in Budapest. “They stressed the importance of its role as initiator of public awareness and of dialogue, and encouraged further support for its activities” (paragraph 18 of the Conclusions of the Conference).

The Sofia Conference supported the initiatives to establish additional regional environmental centres for the NIS and encourage interested donors as well as governments of beneficiary countries to assist in creating a network of such independent centres.

In Aarhus the Ministers recognized the development of the REC for CEE into an independent body of an international character, providing a significant capacity to assist in solving environmental problems of the CEE region through cooperation among governments, NGOs and business, promotion of free access to information and public participation in environmental decision-making. In view of the importance of the civil society and public participation for improving the environmental situation, the Ministers endorsed the establishment of RECs in Chisinau, Kiev, Moscow and Tbilisi

(paragraphs 59 and 60 of the Ministerial Declaration).

The Kiev Declaration refers to the activities of the RECs as positive examples and achievements of the EfE process. “We note with satisfaction that the process has brought international organizations and institutions active in the region together to work in a unique cooperative setting. We also stress the success of the EfE process in involving civil society organizations in regional environmental policy-making and implementation” (paragraph 12 of the Ministerial Declaration).

Focus areas

Water:

In Dobris the Ministers endorsed the development and implementation of regional, sub-regional, and water basin programmes based on bilateral as well as multilateral agreements for the protection of the environment.

In Aarhus “surface, subterranean, coastal and marine waters, where threats to these waters remained in spite of the fact that many efforts have been made” were mentioned the areas requiring further action by the UN ECE Member States. “Improved action therefore needs to be taken towards the progressive reduction of pollutants (including heavy metals and anthropogenic chemicals) and by reducing inputs from nutrient sources” (paragraph 16 of the Ministerial Declaration).

The Kiev Assessment showed that water quality and water resources in many subregions remained still under threat from a range of human activities.

Seas and oceans:

This issue was mentioned at the Kiev Conference for the first time. The Ministers committed themselves to work toward sustainable fisheries, the conservation of biodiversity, the strengthening of marine science, improved coordination and cooperation, the reduction and elimination of marine pollution and greater maritime safety and reaffirmed the commitments made at WSSD to encourage the application of the ecosystem approach for oceans and seas by 2010, to make every effort to achieve substantial progress to protect the marine environment from land-based activities by the next Conference of the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities in 2006, and to establish marine protected areas consistent with international

law and based on scientific information, including representative networks by 2012.

Climate change:

In Dobris the Ministers reaffirmed the Ministerial Declaration of the Second World Climate Conference of November 6–7, 1990, and agreed that it was essential for all participants of that meeting to engage actively in the ongoing negotiations towards a global Convention on Climate Change. They underlined the potential of economic instruments in this field and the need to avoid economic distortions.

Key recommendations of the EPE, adopted at the third Efe Ministerial Conference, urge the UN ECE Member States to fully implement existing national commitments under the Framework Convention on Climate Change and pursue the process of strengthening those commitments, using all appropriate means for that purpose.

The Ministers also upheld the initiatives to establish pilot projects for activities implemented jointly as a cost-effective means for private investments to reduce greenhouse gas emissions on a bilateral basis and called for the further development of pilot projects and reporting on national experiences within the United Nations Framework Convention on Climate Change.

The Aarhus Ministerial Declaration stressed on the fact that climate change remained the greatest global environmental threat to the world's sustainable development, public health and future prosperity. "Flexible mechanisms such as international emissions trading, joint implementation and clean development mechanism shall be supplemental to domestic actions. Work on the treatment of carbon sinks should be continued. We need a strong, efficient and effective compliance regime backing the legally binding commitments under the Kyoto Protocol" (paragraph 12 of the Ministerial Declaration).

Chemicals:

The Second European Environment Assessment showed that action should be taken on chemicals, where further evaluation of hazards and exposures and their impacts on human health and the environment is needed. Such evaluations should be based on scientific evaluation, including risk assessment, and decisions should respect the precautionary principle.

In Aarhus the Ministers welcomed the adoption and signature of the Protocols on Persistent Organic

Pollutants (POPs) and on Heavy Metals within the framework of the UN ECE Convention on Long-range Transboundary Air Pollution and expressed their intent to reduce countries' emissions of lead, cadmium and mercury from a combination of industrial sources, transport, combustion processes and waste disposal and incineration. 32 countries expressed their readiness in a separate declaration to meet an earlier date for the final phase-out of added lead in petrol for general use by road vehicles than stipulated in the Protocol on Heavy Metals.

The Ministerial Declaration on Long-range Transboundary Air Pollution, adopted at the same Conference, inter alia, expresses the Parties' determination to:

- further reduce the emissions of heavy metals and POPs;
- review the availability and feasibility of alternatives to DDT;
- identify and solve the environmental problems caused by the use of polychlorinated biphenyls (PCBs); and
- designate the North Sea Area as an SO_x Emission Control Area under the MARPOL Convention.

The Signatories of the Protocol on POPs also adopted a Declaration where they emphasised the need to control and limit the risks arising from the dispersive uses of short-chain chlorinated paraffins, to tightly control the use of pentachlorophenol and minimize its emissions into the environment, and to take effective measures to eliminate the export of the substances listed in annex I to the Protocol, except when such transboundary movement is for the express purpose of destroying such substances in an environmentally sound manner.

In Kiev the Ministers welcomed the upcoming entry into force of the 1998 Protocols on Heavy Metals and on POPs. They have also recognised the essential role of sound management of chemicals for sustainable development and for the protection of human health and the environment and welcomed the adoption of the Globally Harmonised System for the Classification and Labelling of Chemicals with a view to having the system fully operational by 2008.

Transport:

In Dobris the Ministers stressed the urgent need to continue research and development of transportation systems that are environmentally sound and that respect the need to protect the urban environment, human health, and nature. They also emphasised on

the importance of continuing study and work on cost-effective reduction of CO₂ emissions in Europe.

The key recommendations of the EPE at the Sofia conference proposed to take forward existing efforts to improve the resource efficiency and reduce the environmental and health impacts of all forms of transportation by introducing policies that take into account the mode of transport and the possibilities for reducing the volume of transport.

The Progress Report on the implementation of the EPE submitted to Aarhus Ministerial Conference contains a series of recommendations concerning the integration of environmental policy with transport policy.

The Second Assessment of Europe's Environment showed that further action should be undertaken in the field of transport, where governmental policies are failing to keep pace with the growth in traffic, which is adding to the problems of air pollution, climate change, noise, congestion and biodiversity/habitat loss.

In Kiev the Ministers expressed their readiness to work to implement effectively the newly established Transport, Environment and Health Pan-European Programme, as a successful example of the integration of the environment and public health into sectoral policies, carrying out the activities under the rationalized priorities as outlined in its work plan and ensuring adequate participation of representatives of South-East and East European, Caucasian and Central Asian countries in accordance with the eligibility criteria adopted within WHO and UN ECE (paragraph 53 of the Ministerial Declaration).

Biodiversity/forests:

In Dobris the Ministers agreed to intensify their collaboration on the protection of nature, particularly of forests and biotopes, and to aim for consensus on common concerns regarding the negotiations for the International Convention on Biodiversity and in the discussions on the guiding principles and instruments for the conservation and sustainable development of forests.

In Lucerne the Ministers endorsed the Report by the Council of Europe on "Nature Conservation in Europe. An Overall Strategy on a Continental Scale: Some Important Aspects" and called, within the context of the EAP, for more detailed analysis and proposals for the conservation and the sustainable use of biological and landscape diversity, especially in the form of site based model projects and

institutional strengthening, leading to practical action on the ground (paragraph 14 of the Ministerial Declaration).

The Sofia Conference paid considerable attention to the issue of biological and landscape diversity. Recognizing the uniqueness of landscapes, ecosystems and species, which include, inter alia, economic, cultural and inherent values, the Ministers called for a pan-European approach to the conservation and sustainable use of shared natural resources. They endorsed the Pan-European Biological and Landscape Diversity Strategy (PEBLDS) as a framework for the conservation of biological and landscape diversity.

The Ministers welcomed the IUCN report "Biological and Landscape Diversity in Central and Eastern Europe: Best Practices for Conservation Planning in Rural Areas", carried out under the auspices of the EAP Task Force, and encouraged its application especially in mountain areas.

They urged all Parties to elaborate national strategies, plans and programmes on biological diversity by 1998, and called upon all countries to cooperate in taking concrete measures for the promotion of nature protection, both inside and outside protected areas, by implementing the European Ecological Network, a physical network of core areas linked by corridors and supported by buffer zones or other appropriate measures, thus facilitating the dispersal and migration of species.

The Ministers also expressed the need for the effects of agriculture on the environment to be recognized, and for agricultural practices to be conducive to the conservation and enhancement of biological and landscape diversity.

The key recommendations of the EPE at Sofia supported the efforts made for the integration of the conservation of biological and landscape diversity in all sectoral policies in the region; promoted the sustainable management and conservation of all kinds of forests, especially by supporting the ongoing international processes, such as the work of the Intergovernmental Panel on Forests established by the United Nations Commission on Sustainable Development; and promoted the development and implementation of codes of good agricultural practice on local, national and pan-European scales, to protect waters, soils and the environment in general, and invite the ECE, in that regard, to develop appropriate best practice guidance.

The Second European Environment Assessment touches on the biodiversity issue in several aspects, listing three of those among the most problematic areas. The Ministers called for further action on biodiversity, where the overall pressures continue to increase and the need for the actions mentioned under the Pan-European Biological and Landscape Diversity Strategy section is particular urgent; agriculture, where much more needs to be done better to reconcile environmental concerns with agricultural practices, e.g. by further developing the rules of good agricultural practice, by encouraging environmentally friendly agricultural production techniques, by making agricultural support payments reflect environmental protection, and by implementing policies designed to neutralize the environmental impact of intensive animal production systems; and soil degradation, where serious problems continue and too little progress has been made in soil conservation and remediation of contaminated sites. Further work is needed on prevention strategies for desertification (paragraph 16 of the Ministerial Declaration).

Separate attention was paid to the issue of genetically modified organisms (GMOs). Taking into account the increasing transboundary movement of living modified organisms, the Ministers emphasised on the growing need to address safety issues, confirming their commitment to finalise the negotiation of a biosafety protocol, based on scientific risk assessment and the precautionary principle, to the Convention on Biological Diversity.

Under considerations of the PEBDLS, the Ministers acknowledged the Progress Report and welcomed the links which had been established with the implementation of the Convention on Biological Diversity. They also endorsed the Resolution on Biological and Landscape Diversity, inter alia, reaffirming their commitment to integrating biological and landscape diversity objectives into sectoral policies. For this purpose they committed themselves to:

- a) undertake to propose at national level – including the regional level – appropriate political, legal and other means of integration through cross-sectoral co-operation inter alia by adopting national or regional action plans or strategies; the agricultural sector deserves special attention since the changes in agricultural policy which are likely to take place in the coming years in Europe identify it as a priority within the integration theme under the Pan-European Strategy;
- b) call for stronger co-operation at international level with other Ministerial Conferences and international fora; in this context to contribute

to the follow-up of the Lisbon Ministerial Conference on the Protection of Forests in Europe, in particular to the joint Work Programme on the Conservation and Enhancement of Biological and Landscape Diversity in Forest Ecosystems.

The Ministers also resolved to strengthen and implement instruments for a better integration of biodiversity and landscape conservation objectives into sectoral policies at national and international levels, inter alia by developing appropriate economic and financial incentives.

In particular, they noted that land use had a strong impact on biological and landscape diversity and that there were wide opportunities at place for progress as well as potential risks in this area. To take advantage of opportunities and to avoid negative impacts, the Ministers decided to take initiatives to integrate biodiversity considerations into the agricultural sector within the EU enlargement and transition processes.

The Kiev Assessment showed that ecosystems continue to be at risk, including wetlands and species-rich agricultural habitats. Land-use conflicts from transport, urbanisation and intensive agriculture continue to diminish the remaining semi-natural remote areas at unacceptable rates. Soil is being irreversibly lost and degraded as a result of increasing and often conflicting demands from nearly all economic sectors. The main problems are irreversible losses due to soil sealing and erosion, continuing contamination from local and diffuse sources, acidification, salinization, compaction and desertification.

In Kiev the Ministers revisited the PEBLDS and recognized the efforts made by the PEBLDS in its emerging role as an important instrument for the implementation of the Convention on Biological Diversity in the pan-European region and as a vehicle for promoting the integration of biodiversity and landscape concerns in all relevant horizontal and sectoral policies (paragraph 56 of the Ministerial Declaration).

The Ministers endorsed the Resolution on Biodiversity and committed themselves to achieving the nine targets for halting the loss of biodiversity by 2010 through national efforts and regional cooperation. In doing so they highlighted as key issues for Europe:

- forests and biodiversity;
- agriculture and biodiversity;

- the Pan–European Ecological Network;
- invasive alien species;
- financing of biodiversity;
- biodiversity monitoring and indicators;
- and public participation and awareness.

The Ministers also reiterated their commitment to effective national and international regulatory frameworks in the field of GMOs and to cooperating further on this matter.

Mountains:

The issue of mountains as a separate issue was only mentioned at the Fifth Conference in Kiev. The Ministers welcomed the progress made in the protection, sustainable development and management of mountain regions, and the strengthening of cooperation among transboundary mountain regions, such as the Alps, the Carpathians, the Caucasus and Tianshan, through the sharing of experiences and technical cooperation. They emphasised the importance of implementing the partnerships for sustainable development of mountain regions in order to effectively address imminent challenges in biodiversity conservation, sustainable local development, water management and flood prevention and control in mountains and adjacent lowlands.

Energy:

At the First Ministerial Conference in Dobris the Ministers welcomed the initiative to develop a European Energy Charter. Since Lucerne a growing minority of countries proposed a phase–out of nuclear power in Europe, which is reflected in footnotes to the ministerial declarations from the conferences.

Later on, in Kiev the Ministers recognized the variety of initiatives undertaken for integrating environmental aspects and sustainable development into energy policy in the region including multilateral initiatives. They welcomed the elements of the Plan of Implementation adopted at the WSSD concerning a sustainable energy future and stressed the need to implement them, including the goal of diversifying energy supply by developing advanced, cleaner, more efficient, affordable and cost–effective energy technologies, such as fossil–fuel technologies and renewable energy technologies, hydro included.

In 2003 the Committee on Environmental Policy decided to continue to look into all environmental aspects of energy. It decided not to be directly

involved in a working group on renewable energy which was expected to be established by the Committee on Sustainable Energy, but rather to receive information on the follow–up to this activity. The Committee on Sustainable Energy agreed to include renewable energies in the Energy Efficiency 21 Project Programme instead.

Public Participation:

In Dobris the Ministers emphasised the importance of participation by a well–informed population in the decision–making processes on environmental matters or on matters that may have a significant effect on the environment.

In Aarhus the Ministers adopted the Convention on Access to Information, Public Participation in Decision–Making and Access to Justice in Environmental Matters (Aarhus Convention) and the corresponding Resolution where they:

- acknowledged that the Convention was an important element in the regional implementation of Agenda 21 and that its entry into force would further the convergence of environmental legislation and strengthen the process of democratization in UN ECE region;
- resolved to continue to cooperate in gradually developing policies and strategies related to matters within the scope of this Convention;
- recommended that the ECE Guidelines on Access to Environmental Information and Public Participation in Environmental Decision–making were taken into account in the application of the Convention;
- called upon the governments to promote environmental education and environmental awareness among the public, particularly in relation to the opportunities that the Convention provides;
- recommended that non–governmental organizations were allowed to participate effectively in the preparation of instruments on environmental protection by other intergovernmental organizations; and
- encouraged other international organizations to develop appropriate arrangements relating to access to information, public participation in decision–making and access to justice in environmental matters, drawing, as appropriate, on the Convention and to take such other action as may be appropriate to further its objectives.

The Convention was seen as a “significant step forward both for the environment and for democracy” (paragraph 40 of the Ministerial Declaration).

By the time of Kiev Conference Aarhus Convention had entered into force. In Kiev the Ministers welcomed that fact and underlined the importance of effectively strengthening the implementation of the Aarhus Convention. In this regard they welcomed the innovative compliance procedures, which reflect the special nature of this Convention,

allowing the public to play a role directly in compliance by having the right to address the Compliance Committee, and inviting NGOs to nominate candidates for this Committee.

The Ministers encouraged all States to take steps to promote good governance, transparency and accountability and to enhance the role of the public in decision-making processes, inter alia through capacity-building measures aimed at implementing principle 10 of the Rio Declaration. In that respect they reaffirmed the commitment to that principle and underscored the importance of having legislative and regulatory frameworks in place to provide access to

Public participation 1

The Aarhus Convention is an important achievement of the EfE process. It was signed in 1998 in Aarhus and entered into force in 2001. It has 41 Parties with all but one EU member states being Parties to the Convention. Among EECCA countries only Uzbekistan and Russia have not acceded to the Convention, yet.

In 2002 in Lucca the First Meeting of the Parties to the Aarhus Convention among other decisions have adopted its Rules of Procedure and Compliance Review Mechanism both remaining the standards of openness and participatory democracy for multilateral environmental agreements. They provided for a wide public access and participation in the work undertaken under the auspices of the Convention; the opportunity for environmental NGOs to nominate candidates to the Aarhus Convention's Compliance Committee and, what is the most important, the right of individual members or the public to initiate the compliance review procedure against any Party to the Convention (better known as “public trigger” or “communications from the public”). These principles gained a lot of support and by many are considered to be “the state of art”. They were taken into account during the negotiations on the rules of procedure and compliance review mechanisms for Water and Health Protocol to 1992 Helsinki Water Convention and the Protocol on Pollutant Release and Transfer Registers (PRTRs).

In 2003 in Kiev the environmental ministers signed the Protocol on PRTRs to the Aarhus Convention which so far has 38 signatories and 3 Parties.

In 2005 in Almaty at MoP-2 the Parties adopted the so-called “Almaty amendment” to the Aarhus Convention dealing with public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms (public participation in decision-making on GMOs). They also welcomed the establishment of a clearing-house mechanism and the launch of the UN ECE Aarhus Clearinghouse for Environmental Democracy in support of the implementation of the Aarhus Convention and principle 10 of the Rio Declaration on Environment and Development. With the network of national nodes Aarhus Clearinghouse has become a powerful tool for information exchange and monitoring on the Convention's implementation on international, regional and national levels.

Also at MoP-2 the Parties to the Aarhus Convention adopted Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums (better known as Guidelines on PPIF) assisting Parties in fulfilling their obligations under the Convention, facilitating the application of Aarhus principles in other multilateral environmental agreements (MEA) and raising awareness about the Convention inside national governmental and administrative bodies that link to these forums. By the same decision the Parties initiated a consultation process with about one hundred MEAs, more than fifty of which took an active part in it. The results of the consultation process as well as other aspects of involving the public in international forums dealing with matters relating to the environment were discussed at the Workshop held in Geneva in June 2007.

Another questionnaire was circulated by the Aarhus Convention's Task Force on Electronic Information Tools to national focal points and Task Force members seeking information on the implementation of the “Recommendations on the more effective use of electronic information tools to provide public access to environmental information” adopted by MoP-2. The information gathered through the questionnaire was intended to inform the Parties of the needs, challenges and solutions in the area of e-information, e-participation and e-access to justice by providing a general baseline from which to measure future progress.

environmental information, public participation in environmental decision-making, and effective access to judicial and administrative proceedings in environmental matters at the national level (paragraph 37 of the Ministerial Declaration).

Pollutant Release and Transfer Registers (PRTRs):

The initial references to the ideas of PRTRs in the EfE Ministerial process are to be found in Sofia Declaration where in the context of “Business,

Industry and Environment” discussions around collaborative business and industry programmes the Ministers called for “the implementation of product stewardship from cradle to grave and the introduction of a corresponding responsibility on the part of industry and business” (paragraph 23 of the Ministerial Declaration).

The same idea was echoed in Sofia. One key recommendation of the EPE was to: “encourage the implementation of product stewardship from cradle to grave, the introduction of a corresponding

Public participation 2

Work on public participation in strategic decision-making is conducted in close cooperation with Espoo Convention and its Protocol on Strategic Environmental Assessment. In order to maximize the efficient use of available resources one of the aims of this joint effort is to avoid any potential overlaps of activities with existing tools (e.g. the Resource Manual to Support Application of the UN ECE Protocol on Strategic Environmental Assessment). The planned activities, inter alia, include the development of a compendium of good practices on public participation in strategic environmental decision-making and the workshop on the issue scheduled for late 2007 in Bulgaria.

The Task Force on Access to Justice was established at MoP-1 to support the implementation of the third pillar of the Convention. This Task Force among other activities carried out the survey on identification of obstacles to access to justice. In Almaty the Parties adopted the decision on promoting effective access to justice and re-established the Task Force. Among the latest events under access to justice pillar of the Aarhus Convention one would certainly mention a workshop on access to justice aimed at representatives of the higher levels of the judiciary from six EECCA countries held in June 2007 in Kyiv.

Aarhus Convention is also known for its unique reporting procedure. The first reporting cycle was performed for MoP-2. The second reporting cycle for MoP-3 started in May 2007. The process of preparing the reports, which involves a dialogue with the public at the national level, is an extremely important aspect of the reporting mechanism. Consultation process is expected to involve two stages: an early consultation on which issues should be reflected in the report (prior to the development of the first draft of the report), and a follow-up consultation on the draft report. The reporting requirements also provide for possibilities of online reporting.

Despite the mentioned above achievements in many aspects Aarhus process has not received enough support from UN ECE member states and a lot of progress is still to be made in that regard. There are countries in the region which still have not ratified the Aarhus Convention. Much more in the field of ratification should be done towards early entry into force of both Almay amendment on GMOs, the Protocol on PRTRs and SEA Protocol. Aarhus principles should be applied systematically both on the international and national levels, including the development of financial infrastructure and financial measures for enforcement of the Convention. Building upon Aarhus principles the EfE documents and decisions should be made easily accessible. Civil society organizations should be given full opportunities to participate in the EfE decision making process. UN ECE countries should systematically support its public, and in particular environmental citizens organizations, in taking part in participatory decision-making, in order to improve the quality and acceptance of its outcomes. Parties to the Aarhus Convention should put additional effort to implement Almaty Guidelines on PPIF and properly implement the provisions of Articles 7 and 8 of the Aarhus Convention, leading to meaningful public participation also in environment related strategic decisions, policy making and legislation. The reluctance by many Parties and the European Community to fully implement the access to justice pillar of the Aarhus Convention raises growing concerns. Financial barriers in access to justice should be eliminated as well. Besides, Parties to the Convention should develop mechanisms for alternative dispute resolution.

producer's responsibility and the internalisation of external costs".

In Kiev the Ministers adopted the Protocol on Pollutant Release and Transfer Registers to the Aarhus Convention and welcomed this new instrument providing an important mechanism for generating information on potentially polluting activities and bringing it into the public domain. "We endorse the value of national PRTRs as important mechanisms to facilitate both access to environmental information and the reduction of potentially harmful releases and transfers of pollutants. Governments in the region should ensure that they have the legislative and regulatory frameworks necessary to operate effective PRTRs at the national level. The implementation of this new Protocol is expected to increase corporate accountability. We note that the active and constructive participation of environmental NGOs and industry has been an important feature in the negotiation of the Protocol and urge these main groups to remain involved in its implementation and further development" (paragraphs 39 and 40 of the Ministerial Declaration).

Trade and environment:

The first Conference in Dobris recognised the important inter-linkages between trade and environment policies. It was also recognized that trade should not create unreasonable burdens on the environment.

In Lucerne the Ministers reaffirmed their commitment to the Polluter Pays Principle and acknowledged that the special situations of the CEE countries during their transition to market economies must be taken into account in the application of this principle.

The Sofia Ministerial Conference recognised that, in general, the financing of environmental expenditures should be based on the "polluter pays principle". The Ministers expressed their commitment to a close and continuous consultation with the business sector, including small and medium-sized enterprises, and other stakeholders in the process of developing, phasing in compliance with, and equitably enforcing environmental regulations with a view to ensuring a sound and healthy environment, least-cost and equitable solutions for environmental problems, and resolution of liability issues; and encouraging the private sector to take stronger responsibility for protecting the environment and human health through sound environmental management and other voluntary mechanisms taking into account,

where possible, the positive economic effects of such mechanisms.

The Key Recommendations of the EPE at Sofia also call for ensuring the integration of environmental considerations into decision-making, including the consideration of environmental costs and benefits and the assessment of risks involved and the application of the precautionary and polluter-pays principles in all key sectors, and take further steps to promote partnerships between ministries, parliaments, business and industry, non-governmental organizations (NGOs) and other major groups.

In Aarhus the Ministers welcomed the exchange of experience among the countries in the framework of the Sofia Initiatives on Economic Instruments and stated that economic instruments should play a more important role in terms of motivating the polluters to reduce pollution at their own costs, as well as promoting sustainable development and integration of environmental concerns into sectoral policies.

The Ministers emphasized "the need to ensure that the World Trade Organization's rules, provisions and procedures take full account of the need to promote a high level of environmental protection. In particular, the multilateral trading system should, under clear and predictable rules, accommodate the use of trade measures taken in the framework of MEAs. We will promote efforts to ensure that environmental concerns are effectively integrated into the international investment agreements such as the proposed multilateral agreement on investment in a way that supports sustainable development, and so as not to limit the capacity to make and implement national and international environmental policies" (paragraphs 11, 48 and 56 of the Ministerial Declaration).

The latter concept was reiterated in Kiev: "We call on all countries in the region to honour their global commitments in MEAs. We welcome the agreement of WSSD to promote mutual supportiveness between the multilateral trading system and the MEAs, consistent with sustainable development goals, in support of the work programme agreed through the World Trade Organization, while recognizing the importance of maintaining the integrity of both sets of instruments" (paragraph 24 of the Ministerial Declaration).

Sustainable production and consumption:

The issue of sustainable production and consumption was mentioned for the first time at the level of the EfE Ministerial Conferences in Sofia. At that time

the Ministers, taking into account the United Nations Commission on Sustainable Development's decisions on sustainable consumption and production patterns, invited interested governments, industry, environment and consumer organizations, in cooperation with relevant international organizations, to establish a trial programme for more environmentally benign procurement.

The Progress Report on the Implementation of the EPE discusses interim results of local initiatives towards sustainable consumption patterns. It, in particular, reviews the outcomes of the Workshop on encouraging local initiatives towards sustainable consumption patterns held in 1998 in Austria. The Workshop examined the issues of practical experience with the promotion of local projects and programmes to raise public awareness about the environmental impact of individual consumption behaviour, steer consumers' choices towards environmentally sound goods and services, and further the sustainable use of energy, water, raw materials and land by individuals and communities.

In Kiev the Environment Ministers decided to encourage national efforts to promote sustainable production and consumption as well as corporate environmental and social responsibility and accountability. The Ministers underlined the importance of the shift towards sustainable production and consumption patterns and encouraged regions, subregions and countries to devise programmes to accelerate this shift.

Education:

The issue of environmental education was addressed substantially at the fifth Ministerial EfE Conference in Kiev. The Ministers recognised that education was a fundamental tool for environmental protection and sustainable development and that environmental education has increasingly addressed a wide range of issues included in Agenda 21. They invited all countries to integrate sustainable development into education systems at all levels, from pre-school to higher education and non-formal as well as informal education, in order to promote education as a key agent for change (paragraph 58 of the Ministerial Declaration).

At the Kiev Conference the Ministers invited the UN ECE, in cooperation with UNESCO and other stakeholders, to draw up a UN ECE strategy for education for sustainable development (ESD). Following this decision, the Committee on Environmental Policy set up an open-ended task force to develop the strategy. The work was completed in 2004.

A High-level Meeting representatives of Environment and Education Ministries on 17–18 March 2005 in Vilnius adopted the UN ECE Strategy for ESD as a practical instrument to promote sustainable development through education. The meeting adopted the Vilnius Framework for Implementation and established a steering committee and an expert group on indicators in order to coordinate and review the Strategy's implementation. The Meeting also launched the United Nations Decade of ESD in the UN ECE region.

Industrial accidents:

The Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention) is one of the major legal instruments applied in the EfE process. The Progress Report on the Implementation of the EPE stressed that the Convention was the first legally binding instrument for the prevention of, preparedness for and response to industrial accidents under which international cooperation promotes national policies and strategies in the ECE countries to reduce the risk of industrial accidents, including those capable of causing transboundary effects.

A UN ECE Industrial Accident Notification System has been developed and tested by several countries. This aims to improve communication between ECE countries in the event of an industrial accident, respond promptly to industrial accidents and minimize their possible adverse effects, including their transboundary effects. The system has proved to be an effective, useful and practical tool for communication and mutual assistance.

An institutional and administrative structure for the application of the Convention is being set up as countries in transition are moving towards a market-based economy and going through political, legislative, economic and financial changes. Two ECE coordinating centres have been established to facilitate its implementation by countries in transition and strengthen their capacities to develop and promote safety technologies and safety management, training and education, and set up a network of national centres,

Strategic environmental assessment:

In Kiev the Ministers adopted the Protocol on Strategic Environmental Assessment (SEA Protocol) to The Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) stressing that the Protocol underlines the cross-sectoral approach by

integrating environmental, including health, considerations into the preparation and adoption of plans, programmes, and, to the extent appropriate, policies and legislation and thus further contributes to sustainable development. “We recognize the close cooperation between the governing bodies of the Espoo and Aarhus Conventions and the active participation of the health sector and NGOs in the negotiations of the Protocol on SEA, and we encourage these organizations to support its implementation. We invite all countries in the region to consider adopting domestic procedures for the preparation of environmental assessment documents that can address plans and programmes” (paragraphs 33 and 34 of the Ministerial Declaration).

Implementation of MEAs:

To date, five conventions have been negotiated and adopted within the UN ECE framework:

- (i) the 1979 Convention on Long-range Transboundary Air Pollution;
- (ii) the 1991 Convention on Environmental Impact Assessment in a Transboundary Context;
- (iii) the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes;
- (iv) the 1992 Convention on the Transboundary Effects of Industrial Accidents; and
- (v) the 1998 Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters. The five conventions are supplemented by 12 protocols.

All, apart from three adopted in 2003, are in effect. The European Community is also a Party to the five Conventions as a regional economic integration organization.

Since the EfE process has clear objectives and is designed to achieving concrete results, proper implementation and compliance with the international obligations developed in the scope of this process have always been monitored. Every Ministerial Declaration adopted at the EfE Conference contains at least a paragraph dealing with this matter.

The Key Recommendations of the EPE at Sofia encourage the ratification of, and requires to ensure compliance with international legal instruments in the field of the environment of relevance to the ECE region, in particular the recent ECE environmental conventions and protocols. The Progress Report on

the Implementation of the EPE reiterates this statement.

In Aarhus the Ministers confirmed their commitment to comply with the obligations arising from those environmental conventions to which they have been Parties. “Furthermore, we note with great concern that some UNECE States are not Parties to a number of relevant environmental conventions and other legal instruments, and we urge these States to take all appropriate steps to become Parties to those instruments as soon as possible” (paragraph 7 of the Ministerial Declaration).

In Kiev the Ministers endorsed the Guidelines for Strengthening Compliance with and Implementation of MEAs in the UN ECE Region as an important tool to strengthen compliance with and implementation of regional environmental conventions and protocols, recognizing that each agreement is negotiated in a unique way and enjoys its own independent legal status. “We will support countries with economies in transition, as appropriate, to build their capacities to comply with the obligations arising from MEAs. We welcome the continuing development of compliance procedures under many UN ECE environmental instruments, recognizing that such procedures provide useful and effective tools to address and solve compliance difficulties. We welcome the efforts of the various enforcement and compliance networks within the region to share experience and develop best practices. We also welcome the Guiding Principles for Reform of Environmental Enforcement Authorities in Transition Economies of Eastern Europe, the Caucasus and Central Asia developed within the EAP Task Force. We invite the environmental enforcement authorities in these countries to implement the Guiding Principles and donor countries to help them to do so” (paragraphs 43–45 of the Ministerial Declaration).

SUCCESSSES AND FAILURES FROM A MINISTERIAL POINT OF VIEW

The Kiev Ministerial Declaration identifies the following achievements of the EfE process:

- the EfE process has been a unique multilateral process that brings all countries in the region together on an equal footing.
- the process has evolved into the major high-level pan-European framework for discussing key environmental policy issues, developing programmes, launching negotiations on legally binding instruments and various partnerships and initiatives, including new institutional structures

for the environment, in a balance between subregional and regional issues and openness to intensive intersectoral cooperation.

- the EAP Task Force has played an effective role in promoting environmental policy reform and capacity building in countries with economies in transition, particularly in reforming policy instruments, environmental financing, environmental management in enterprises and urban water sector reform.
- the Project Preparation Committee (PPC) has been instrumental in mobilizing and channelling external financing to resolve priority environmental problems in countries with economies in transition, as well as in ensuring coordination among clients, host Governments, donors and international financial institutions.
- the UN ECE programme of environmental performance reviews (EPR), as well as other analytical and advisory work of partners in the EfE process, have made it possible to assess the effectiveness of the efforts of countries with economies in transition to manage the environment, and to offer the Governments concerned tailor-made recommendations on improving environmental management to reduce pollution loads, to better integrate environmental policies into sectoral policies and to strengthen cooperation with the international community.
- the three assessment reports on the state of the environment produced and published by the European Environment Agency (EEA) in 1995, 1998 and 2003 have helped to identify major threats and challenges for the development of regional environmental policies.
- the Environmental Programme for Europe (EPE) was the first attempt to set long-term environmental priorities at the pan-European level and to make Agenda 21 more operational in the European context.
- the preparations for EfE ministerial conferences have stimulated the drawing-up of a number of legally binding instruments promoting environmental protection and sustainable development in the region.
- other important policy tools, including strategies, policy statements and guidelines, which have resulted from the EfE conferences, together with the links established between the EfE process and other ministerial processes in the region – environment and health; transport, health and environment; and the protection of forests – help to promote the integration of environmental considerations into sectoral policies.

- the process has brought international organizations and institutions active in the region together to work in a unique cooperative setting.
- the EfE process succeeded in involving civil society organizations in regional environmental policy-making and implementation.

Various reports, reviews and evaluations published after Kiev Conference list other accomplishments of the process:

- Strengthened application of legal instruments for the protection of the environment. The governing bodies and the secretariats of five UN ECE conventions continued their awareness raising and promotion activities.
- The publications and reports on the status of implementation of the various conventions show their increasing application by an increasing number of Parties in the UN ECE region. They also highlight specific difficulties for implementation such as the access to justice pillar of the Aarhus Convention, the application of appropriate preventive measures under the TEIA Convention or the setting up of the river basin management structures under the Water Convention.
- The majority of Parties have introduced an adequate legislative framework for the proper implementation of the provisions of the Conventions.
- Steps have been taken to open the UN ECE Conventions and their protocols to non-UN ECE members states.
- Overall targets for the region for most pollutants covered by the protocols to the Convention on LRTAP are being met, although the successes of individual Parties vary.
- Parties to the Aarhus Convention from all parts of the region appear to be committed to actively pursuing the implementation of the Aarhus Convention.
- The implementation bodies under the UN ECE multilateral environmental agreements are increasingly demonstrating that their implementation is contributing visibly to the recovery of the region's environment and to improved environmental management, including transparent procedures involving all important stakeholders.
- Over the years, reporting has improved under the UN ECE Conventions. UN ECE member countries have been increasingly willing to participate in the implementation of reporting procedures under the different conventions, even

under voluntary schemes. Reporting is beginning to be seen as not just a burden but also an opportunity to share experience and concerns. The proportion of good quality reports has also increased. To ease the burden of reporting, most of the reports submitted by Parties are stored electronically and can be built upon in successive reporting cycles.

- Formal mechanisms for review of compliance have been established under the LRTAP Convention, the EIA Convention and the Aarhus Convention.
- The EPRs assist individual countries in assessing progress in environmental management in order to reduce the pollution load and the adverse impacts of economic development on the environment as well as to better integrate environmental considerations into sectoral policies. They also facilitate the implementation of UN ECE environmental conventions.
- Work continued to integrate environmental concerns in the following five sectors: health; transport and health; education; industry; and energy.
- Since 2003, regional, sub-regional and national activities have been ongoing in Western Europe, SEE and EECCA to address the 2010 biodiversity target;

Initiatives and activities were carried out at the Pan-European level in order to assist in the achievement of the Kiev targets, which include inter alia:

- The cooperation between the PEBLDS and the Ministerial Conference for the Protection of Forests in Europe (MCPFE) on issues such as sustainable forest management and the ecosystem approach; illegal logging and related trade; and afforestation and reforestation guidelines, the progress on raising awareness and understanding of the importance of High Nature Value farmland, and activities related to its identification and conservation in the Pan-European region, as a result of the efforts of the PEBLDS, the EEA and ECO-Forum.
- The technical and political progress for the Pan-European Ecological Network (PEEN), under the PEBLDS framework, which has increasing relevance within adaptation to climate change, biodiversity conservation and protected areas programmes at the pan-European, national, regional and local levels, and which is underpinned by the Natura 2000 and Emerald networks.
- The implementation of the European Strategy on Invasive Alien Species adopted in 2003 under the Bern Convention, and the ongoing activities implemented by the Bern Convention as the

European forum for IAS, as well as activities at the national and regional level to address the threats posed by IAS.

- The progress in Biodiversity Financing in the framework of the European Task Force for Banking, Business and Biodiversity under PEBLDS, resulting in increased practical partnerships with the finance and business sector, pilot projects and the development of a Biodiversity Finance Technical Facility.
- The Streamlining European 2010 Biodiversity Indicators project led by the European Environment Agency, in collaboration with the PEBLDS, the European Centre for Nature Conservation (ECNC) and other partners, to review, test, refine, document and help produce specific biodiversity indicators.
- The accomplishments of the 2010 Countdown Initiative with 150 international and national nongovernmental and governmental partner organizations including local and regional governments and the private sector from the entire pan-European region, to raise awareness and achieve implementation of the pan-European and global biodiversity commitments.
- The continued efforts by governmental and non-governmental organisations at all levels to support the implementation of the programmes of work of the Convention on Biological Diversity and their National Biodiversity Strategies and Action Plans.

The work on industrial safety and the effects of possible industrial accidents facilitated international cooperation on the prevention of industrial accidents and minimization of their possible consequences on human health and the environment. It also promoted cross-border cooperation on preparedness for and response to such accidents. The harmonization of safety standards across the entire UN ECE region was among the key objectives. These activities were carried out under the auspices of the Convention on the Transboundary Effects of Industrial Accidents (TEIA). Some countries of the UN ECE region, in particular EECCA and SEE countries, have difficulties in implementing this rather complex multilateral environmental agreement. During the 2004–2005 biennium, an assistance programme to enhance the efforts of these countries to accede to and implement the Convention was adopted and successfully launched.

The UN ECE Steering Committee on Education for Sustainable Development reported on the progress made in implementing of the UN ECE Strategy on ESD:

- Reports by the countries showed that there was a clear tendency in government policies for ESD to receive prominent recognition.
- Regarding the translation of the UN ECE Strategy into the official languages and the establishment of focal points and the consultative mechanism for the implementation of the Strategy, the majority of the countries confirmed that these two initial processes were under way.
- Most countries had also taken steps to introduce ESD into their policy and legislative documents. In many countries ESD is addressed in the national strategies for SD, while in some countries it is included in other policy documents (e.g. strategies for environmental protection).
- Some countries have started drafting their national implementation plans and introducing ESD into the curriculum and learning programmes at all levels of education.
- Many countries have established websites offering information relevant to ESD.
- Most countries support the organization of various conferences, seminars and other relevant events.
- There are several good examples of sub-regional cooperation, including the Baltic 21 process and ESD-related processes in the sub-regions of Central Asia, the Caucasus and the Mediterranean.
- Important ecosystems continue to be at risk, including wetlands and species-rich agricultural habitats. Land-use conflicts from transport, urbanization and intensive agriculture continue to diminish the remaining semi-natural remote areas at unacceptable rates. Progress has been made in recovering several species but a number of the region's species continue to decline at an alarming rate, threatening biodiversity. Overexploitation of some fish stocks in particular is putting these species at a high risk of collapse.
- Habitat destruction, fragmentation and degradation as well as the rapid spread of invasive alien species is increasing in Europe and affecting particularly farmland, mountain regions and coastal zones.
- European hotspots of endemic species are at risk because of the effects of climate change and the lack of space between habitats to allow for adaptation and pollinators such as butterflies, honeybees and bumblebees are declining in parts of Europe.
- Another concern is the implications on global biodiversity conservation of the rapidly increasing ecological footprint of Europe;
- If we are to ensure the conservation of the rich natural heritage of the Pan-European region and the improvement of human well-being it is necessary to reconcile land use and development needs with the conservation of biodiversity and maintenance of ecosystem services.

The documents mentioned above also identify the following challenges:

- In terms of integration of environmental considerations into sectoral policies, only limited progress has been achieved to date and only in a few cases has there been significant decoupling of economic growth from associated environmental pressures. This progress has resulted mainly from one-off changes, technical substitutions (e.g. for leaded petrol and chlorofluorocarbons (CFCs)) or economic decline. Much of this progress is therefore unlikely to be sustained in the face of continuing or renewed economic growth.
- Despite all efforts by countries, the EU, international governmental and nongovernmental organisations and other stakeholders, pan-European biodiversity still is declining at a rapid rate.
- Although ecological networks and the wider countryside approach are crucial for the conservation and sustainable use of biodiversity and ecosystems – and some successes have been obtained by safeguarding biodiversity in nature areas and landscapes – biodiversity is still at risk in and around these natural areas.
- Farmland birds have dramatically declined over the last decades, as well as waders, even –and especially – in European countries with the highest nature conservation budgets;
- Nearly half of Europe's breeds of domestic animals are at risk of extinction and that important ecosystems continue to be at risk including forests, wetlands, species-rich agricultural habitats, several dry and arid areas and some marine areas in the European region;
- Landscapes are undergoing a silent but dramatic transformation due to changes in agriculture, rapid urbanisation and extension of the transport infrastructure network;
- Climate change is already having noticeable effects and may result in habitats and species moving north, at a relatively rapid pace;
- Globalisation forces result in equalizing effects on various landscapes and regional cultures;
- Water quality and water resources in many subregions are still under threat from a range of human activities. Problems are generally most severe near 'hot spots'.

- The continued growth of transport, with minimal progress in the use of non-fossil fuels and modal shift, is a major problem for the environment, due to further increases in greenhouse gas emissions and health impacts. The increasing demand for tourism transport forms an additional challenge to integrated transport policies;
 - There are continuing and alarming instances of World Health Organization (WHO) air quality standards being exceeded in many urban areas. Exposure to particulate matter is now the largest threat to health from air pollution in cities.
 - Emissions of some persistent organic pollutants (POPs) are still a concern. Concentrations of a number of newly identified chemical pollutants not classified as POPs are rising. Obsolete chemicals and contaminated sites continue to have a serious environmental and health impact in countries in transition.
 - Total waste quantities are increasing in most countries, with only limited progress towards the decoupling of waste generation, particularly hazardous waste, from economic growth in some countries.
 - Soil is being irreversibly lost and degraded as a result of increasing and often conflicting demands from nearly all economic sectors. The main problems are irreversible losses due to soil sealing and erosion, continuing contamination from local and diffuse sources, acidification, salinization, compaction and desertification.
 - There is a need to raise the profile of environmental issues within Governments, strengthen the involvement of sectoral ministries in environmental protection and to tackle these problems in closer cooperation.
 - The existing pressures on the region's environment call for refocusing pan-European policy-making on more effective integration of environmental considerations in other policy areas, in particular to establish positive trends to move the region towards greater sustainability.
 - Economic growth is often linked with environmental degradation.
 - Care of the environment and proper management of natural resources are sometimes considered peripheral to, or in competition with, socio-economic development.
 - Across Europe, all major sectors have some effect on biodiversity and the agriculture and forestry sectors seem to have the highest impact in most countries.
 - The demands of citizens in rural and urban areas are growing, and there is a growing emphasis on non-food related services and requirements, such as health care, nature and landscape, recreation, identity, environment and animal welfare.
 - There is a great number of stakeholders whose activities have an impact on biological diversity. Yet only a few of them play a notable role in the conservation and sustainable use of biological diversity in the pan-European region.
 - Greater emphasis should be placed on compliance with and national implementation of international legally binding instruments. In addition to political will and, in some cases, substantial financial resources, the development of appropriate human and institutional capacities is required, and this has not always been sufficiently recognized.
 - Legally binding agreements alone will not suffice to guarantee environmental protection and a comparable level of their implementation throughout the region. Countries need to establish clear objectives, set realistic specific time frames and coherently apply the most cost-effective policy instruments. Economic instruments, voluntary approaches and information and participation instruments have to be more widely and effectively used to promote integration of environmental considerations across the region.
 - Better data collection in such areas as chemicals and biodiversity is needed. Improved coordination and optimization of environmental assessments, including outlooks and reporting are another area for concerted action.
 - There is a need to continue to engage business and industry on corporate social responsibility and accountability, as well as in public-private partnerships to achieve common environmental and sustainable development objectives including eco-efficiency.
- It is important to develop new and reinforce existing forms of cooperation for promoting environmental protection for the benefit of sustainable development within the UNECE region, and recognize the severity of existing environmental challenges, in particular in SEE and EECCA countries. Many of these countries face serious financial and other difficulties in achieving national environmental objectives. These countries like many others have to make difficult decisions about realistic priorities, establish better cooperation between Environment and Finance Ministries, improve national and local capacities, and use existing resources more efficiently. Further efforts are also needed at all levels to mobilize additional domestic and international finances for environmental purposes. An enabling domestic environment is vital for mobilizing

domestic resources, increasing productivity, reducing capital flight, encouraging the private sector and attracting and making effective use of international investment and assistance. These countries need a clear perspective regarding cooperation with other subregions.

- While most of the EU member states have acceded to five UN ECE Conventions, the number of Parties is significantly smaller among the EECCA and SEE countries. It is a cause of concern that those countries which may benefit most from accession to the UN ECE Conventions and Protocols have not ratified them.
- A particular matter of concern is the slow rate of ratifications of the three most recent Protocols concluded in 2003, the SEA Protocol, the PRTR Protocol and the Civil Liability Protocol.
- The situation with regard to implementation of the multilateral environmental agreements is very different in EECCA and SEE countries, which face many challenges and problems in fully meeting the requirements of the conventions and their protocols. In many cases, these problems are preventing these countries from becoming Parties to the instruments.
- Despite the progress achieved, there are weakness and problems in the Conventions' implementation in some countries. Most often they relate to the legislative or institutional framework, but may also be linked to a country's obsolete technology, insufficient domestic funds and to public participation.
- The UN ECE conventions do not have any mandatory funding instruments except for the Convention on Long-range Transboundary Air Pollution (CLRTAP). The only exception, the EMEP (Co-operative programme for monitoring and evaluation of the long range transmission of air pollutants in Europe) protocol to CLRTAP, provides mandatory contributions based on the UN scale of assessment from Parties to that Protocol to support the activities of EMEP centres (collating monitoring and emissions data, modelling of air pollutant transport, and integrated assessment monitoring).
- Whether based on the UN scale of assessments or not, voluntary financial contributions rarely cover 100% of the resource requirements; as a result not all activities in the workplan can be implemented. Where voluntary financing arrangements are not based on the UN scale of assessments, there is often an unfair sharing of the burden, since there are only a few donors. Parties often pay their voluntary contributions for a given year late in that year, after the planned activities should have been carried out. This disrupts the organization of the activities under the Conventions.
- In a number of countries of EECCA and SEE, work to build adequate legal and institutional frameworks to implement the provisions of the conventions is not as far advanced.
- Many countries have a wide range of regulations and governmental decisions dealing with issues falling within the scope of the Convention on Transboundary Effects of Industrial Accidents (TEIA). However, this legal framework rarely meets all the requirements of the Convention. This hampers its implementation, especially the measures to prevent accidents and prepare for emergencies, as well as the effective bilateral and multilateral cooperation.
- Most EECCA countries reported that the provisions of the Aarhus Convention were either relevant to their Constitutions or apply directly. As a consequence, those countries believe that implementing legislation did not have to be introduced or failed to demonstrate having taken any legislative measures as required by the Convention (Art. 3, para.1).
- Regulatory reforms in the field of water are far from complete in the EECCA countries and have resulted in some gaps and contradictions between new laws, decrees, codes and regulations.
- A specific problem for the assessment of transboundary waters arises from the widely used "maximum permitted concentrations of pollutants for a specific water use" (MPC) or water quality standards that seem to be more stringent than the water quality criteria and objectives often used in other parts of the UN ECE region. It is often impossible to comply with these norms, partly due to the lack of appropriate measuring devices and partly because financial and human resources are lacking.
- Many countries fail to coordinate government departments and agencies for effective implementation.
- With respect to the methods used for introducing the necessary legislative, regulatory and other measures to implement article 3, paragraph 1 of the Aarhus Convention, particularly on the regional and local levels, other public authorities do not appear to be actively engaged in fulfilling their obligations under the Convention or even to be aware of them. Two major obstacles for the implementation of the Convention are: (i) poor implementation by public authorities at the local and provincial levels; and (ii) poor implementation by public authorities other than ministries of environment.

- The Working Group on Implementation under the TEIA Convention had also noted that further improvements are needed in cooperation between national authorities, between them and regional and local authorities, and with industry.
- Capacity-building activities relating to an adequate institutional framework are all the more important for countries of EECCA and SEE, as without them further capacity-building and advisory activities under the assistance programme will not bring the expected benefits, i.e. some countries lack the capacity to implement the basic tasks under the assistance programme.
- The 2003 Review of implementation of the EIA Convention found that the points of contact on the Convention's website were not always correct and/or not always competent in the application of the Convention.
- In EECCA, the never-ending reform of ministerial environmental departments and water agencies and their responsibilities and assignments could seriously hamper the continuity and sustainability of cooperation and the implementation of the Water Convention.
- Obsolete technology in the industries of the EECCA and SEE countries is an obstacle for the implementation of the TEIA and the LRTAP Conventions in particular.
- Inadequate domestic funding in the EECCA and SEE countries is a major setback in the implementation of the UN ECE Conventions.
- Substantive costs are involved in translation of EIA documentation in a transboundary context. Given recorded difficulties with regard to the languages used, there is still a lack of bilateral and multilateral agreements among Parties to address in particular what documents should be translated, who should translate them and who should cover the costs of translation.
- With regard to the access to justice pillar of the Aarhus Convention, in some countries costs are too high for citizens to bring cases to court and there is a need for pro bono legal services.
- The implementation of the public participation pillar of the Aarhus Convention appears to be less advanced than the access to information pillar. Problems noted by countries include lack of uniform regulations on EIA and a culture of resistance to public participation generally.
- The 2003 Review of Implementation of the EIA Convention found that the public of the concerned Parties was not sufficiently encouraged to participate in procedures under the Convention.
- The provision of information to the public and public participation in decision-making related to hazardous activities (e.g. in drawing up off-site contingency plans) are essential under the TEIA Convention, but inadequate in some of the EECCA and SEE countries.
- While the national reports provide valuable insights into how individual countries are meeting the requirements of the Conventions, it is important to keep in mind certain limitations when attempting to draw general conclusions on the status of implementation of the conventions. There are continuing problems:
 - there is still a number of Parties that fail to submit reports, which makes impossible the assessment of their implementation of the Conventions' provisions;
 - late submission of reports restricts the possibility for making a detailed and exhaustive examination of the replies and/or for seeking clarification from Parties before producing a report on the status of implementation;
 - the reports received vary considerably in quality and in length.
- Storage of data and information probably remains the weakest point in EECCA countries, where water, environmental and health agencies often rely on hard copies of data.
- Regarding the Aarhus Convention, in spite of the good response rate to the online questionnaire developed by the secretariat, the Meeting of the Parties had preferred to limit the online aspect of the reporting. Parties had found it easier to work with Word documents due to their obligation to consult the public and the need to translate the documentation into national languages.
- The reporting on the implementation of the Espoo Convention had not produced satisfactory results, partly because the reporting involves more textual information than does the reporting for the Air Pollution Convention. The Parties had considered the questionnaire too long and had experienced technical difficulties with logging in and with entering information.
- While some Parties found in non-compliance engage in a very active dialogue with the compliance/implementation committee and keep it informed of their progress towards achieving compliance, other fail to communicate with the secretariat or to respond to the requests contained in the decisions of the meeting of the Parties.

- The failure by some Parties to meet the reporting requirements hinder the operation of the compliance mechanism.
- Although the emphasis in the compliance regimes under the UNECE Conventions is on cooperation and assistance for achieving compliance, rather than a formal redress, and most of the Parties found to be in non-compliance have been sought cooperation on such matters, the limited number of measures available to the compliance/implementation committees to make a Party comply with its obligations may be a potential problem.
- The lack of established mechanisms for cooperation with other regions may hamper the outreach activities with other regions.

THE ECO-FORUM POSITION ON KEY EFE FOCUS AREAS

EFE AND SCP: WILL BELGRADE LEAD TO ACTION?

In its Declaration prepared for the 6th Ministerial Conference “Environment for Europe”, European Eco-Forum expressed deep disappointment with lack of progress in achieving environmentally sustainable development in the Pan-European region. Unsustainable production and consumption patterns continue to put excessive pressure upon the environment causing the depletion of natural resources, human health deterioration and climate change.

Even though the Pan-European Ministers of the Environment have addressed the sustainable production and consumption (SCP) issue several times (Sofia Declaration, EPE, Aarhus and Kyiv Declarations), there was only one attempt to move it forward. The Workshop on encouraging local initiatives towards sustainable consumption patterns (1998, Austria) demonstrated the need of awareness raising necessary to change human behaviour towards more sustainable consumption and production.

Further Aarhus Ministerial Declaration stressed that changes in consumption and production patterns “must lie at the heart of the transition towards a sustainable UN ECE region”. At the same time, the concern was expressed on possible duplication of unsustainable consumption pattern by economies in transition.

In Kyiv the Ministers agreed to support the WSSD decision and promote the development of a 10-year framework of programs in support of the SCP.

However, since that time there have been no serious achievements. We can only welcome the UNEP and EEA report on the SCP in the SEE and the EECCA regions. Comparing its preliminary findings with the SCP chapter of the EEA Assessment report, it is obvious that changes in production patterns caused by economic recovery resulted in adverse health and environmental impact in the EECCA countries. At the same time consumption and domestic waste generation per capita in the EECCA is still much lower than in Western Europe, where consumption is growing faster than the implementation of the mitigation measures. All regions are jointly contributing to an imminent common climate change disaster.

In April 2007, MAMA-86, Environmental League of Georgia and St. James Research organized two workshops in Kyiv and Tbilisi on SCP in economies in transition for Western EECCA and Caucasus. A teleconference Kiev-Tbilisi-Amsterdam-London-Geneva (with involvement of ANPED, EEA and UNEP experts) was held to investigate national and subregional progress on CSP policy development and implementation. The discussion was based on snapshot surveys prepared by NGO experts from Armenia, Azerbaijan, Belarus, Georgia, Moldova, Russia, and Ukraine.

The general conclusion was that SD principles and objectives are either absent in development strategies, or are of a purely declarative nature. SCP principles are not even discussed at the policy level and SCP vocabulary is absent. There have even been steps backward (compared to the late 1990s) in terms of accounting for SD considerations in development plans and programs. These issues are either paid lower attention or SD is merely interpreted as crisis-free economic growth. SD indicators are not approved, while application of SEA lacks implementation of laws and regulations. There are only a few Local Agenda 21 processes operating, notwithstanding that they serve as vehicles of practical implementation of sustainable consumption and production patterns. The situation in the sphere of implementing legislative frameworks for sustainable development is getting worse, as many newly enacted laws are in clear contradiction with SD principles, however, these laws shape legislative frameworks for many years ahead.

The above approaches reflect real needs of the countries: they need to raise living standards to the level of 1980s in a short period of time and they consider environmental components of socio-economic development as barriers that hinder attainment of the goal. There is no system of economic incentives for improvement of environmental performance in the sphere of consumption and production, while environmental charges and fines are negligible in comparison to necessary investments into modernisation. As a result, economic growth in Western EECCA countries is based on outdated fixed assets and such growth is inevitably accompanied by growing environmental pollution and higher risks of industrial disasters. Environmental policy reforms are either stalled or go at a snails' pace, environmental policy

integration is of a declarative nature, and there are few and limited innovative components of economic development.

As for preconditions to change of consumption patterns, it is important to note that Western EECCA countries are now experiencing a consumption boom, following many decades of limitations arising from the command and control economic model. For all that, average per capita levels of consumption and waste generation are still lower than in CEE, Western European and North American countries.

The reviewed countries lack political will for practical transition to SD / SCP. Moreover, should such a political will emerge, the relevant institutional system are not ready to lead the delivery of such changes. There is a common trend of external incentives having higher priority over internal ones for environmental policy integration in economic sectors.

Participant in the 2007 events noted that the transition to SCP is a difficult task, requiring changes in social relations and radical socio-economic reforms. To address the problem, the transition economies need to learn from and apply the experience of reforms in countries that have achieved some successes in introduction of SCP patterns.

Conclusion

This report focuses more on issues in some EECCA countries and subregions but, it is clear that unsustainable patterns of consumption and production pattern are a common problem for the whole Pan-Europe region, and that such patterns are causing environmental degradation and human health deterioration throughout the region. The progress achieved is simply not adequate. The EfE process has not so far delivered in respect of moves towards Sustainable Production and Consumption (SPC).

All countries, and not just the economies in transition need stronger partnership, experience and knowledge exchange to deepen environmental integration reform, to elaborate and implement holistic SPC approaches to national development of policy, relevant instruments and infrastructure.

Environment and sustainable development NGOs in economies in transition play an important role as catalysers of environmental reforms and their potential should be used better to achieve more

successive constituency of the EfE national implementation.

Recommendations

Following Kyiv Ministerial Declaration decision on SCP and based on findings of the EEA and UNEP reports, a SCP Task Force should be established in Belgrade open to different stakeholders with the aim to provide guidelines and support to the national and subregional efforts on changing the consumption and production patterns to sustainable SCP. SCP must become EfE main objective, with relevant resource allocation.

Ministers of donor countries and international organizations need to consider options to provide more assistance to national networks and coalitions of NGOs in the EECCA countries for implementation of decisions of the Belgrade Conference, pertaining to SPC and environmental policy reforms.

ENERGY AND CLIMATE

The environmental problems from energy production and use are increasingly urgent, with climate change and nuclear hazards on the top. For more than 10 years EfE (Environment for Europe) has dealt with energy efficiency as an important part of the solutions, but progress has been slow. Low tariffs, the slow pace of industrial re-structuring and limited access to adequate financing has undermined the incentives for energy efficiency and pushed it down the priority list of investment options in many countries. Renewable energy, an increasingly viable option for environmentally benign, large-scale energy supply, also lack adequate support in many countries. No country can be complacent. There is considerable scope for more action, even in the countries that have relatively strong policies and programmes.

EfE could continue to play an important role as a driving forum for sustainable energy solutions that can solve environmental problems and at the same time yield other benefits for the societies such as reduced resource use and increased employment.

The environmental ministers that will meet for the EfE conference in Belgrade must recognise the rapid developments that have taken place on climate change since the EfE Kiev ministerial conference in 2003. The focus on implementation that is central to the Belgrade conference makes this an appropriate place to discuss not just how targets for carbon reduction can be set but equally how these can be

delivered at a national and local level. The results must be conveyed to the international climate negotiations on a continuation of the Kyoto Protocol after 2012.

The environmental ministers must also recognise that all forms of energy must be sustainable, including biofuels and hydropower, two forms of renewable energy that too often are produced in unsustainable ways.

EfE already made progressive decisions for energy efficiency, and it must also continue to implement the energy efficiency provisions of the Kiev Policy Statement and the Aarhus Declaration.

Phase out Nuclear Energy

In view of the continuing grave concerns about nuclear installations, both for the risks for major accidents and the ongoing increase of the legacy to future generation of nuclear waste, ECOs agree that nuclear energy should be phased out and replaced with sustainable energy solutions. Recent studies show that there is no need for nuclear power because efficient use of renewable energy can supply Europe with sufficient energy for sustainable development.

The ECO–Forum supports the establishment of international decommissioning support funds for closing the “highest risk reactors” in the EfE region.

At the EfE ministerial conference in Kiev in 2003, 41 out of 55 countries signed the “Kiev 2003 Nuclear Safety Declaration”. The ECO–Forum proposes the signature countries to the declaration to use the ministerial meeting in Belgrade to follow-up on this initiative.

Phase-out of environmental harmful subsidies

ECOs are concerned about the lack of action by many governments in phasing out environmentally harmful energy subsidies. In 1995, 1998, and 2003 the EfE ministerial conferences confirmed that these subsidies are an important problem making the fight for a better environment very difficult. In 1998 it was even decided to target 2005 as a deadline for reform of energy price subsidies, and in 2003 the countries asked each other to use the new subsidy reform guideline.

The ECO–Forum urges the environmental ministers to make a firm commitment in Belgrade that in the next few years, substantial subsidy reforms will take place, to stop subsidies for environmental harmful

energy production and use. Progressive countries must take a lead in this, developing their own subsidy reform plans to strengthen environmental policy implementation.

Likewise the countries should develop environment–related taxation policies. These policies shall reflect the potential benefits that improved energy efficiency and renewable energy can bring to the environment and include the cost of externalities in energy prices so they reflect the full cost to the society of energy consumption.

Set sustainable energy targets

As part of efficient policies for sustainable energy, it is necessary to have ambitious targets for energy efficiency and renewable energy. From the ECO–forum there is no doubt that the end goal is 100% renewable energy, but just as important as a final goal are ambitious, yet realistic goals for the short and medium terms. This is why the ECO–forum proposes all EfE countries to set ambitious targets for energy efficiency and renewable energy, and that EfE takes part in monitoring the success of these targets. The transport sector remains a major concern in all participating countries, and must also be covered by targets as well as efficient policies to reduce its energy consumption and environmental impacts.

International cooperation

International co-operation is very important in promoting energy efficiency and renewable energy. It provides policy momentum, capacity development, technology development, and financing. It also allows countries to learn from each other. Further, the increasing international trade in energy using products and designs increase the importance of international cooperation and coordination in energy efficiency.

The ECO–Forum supports increased international cooperation for energy efficiency and renewable energy for the EfE region, for smaller regions within Europe, as well as globally.

Involve entire Governments and Stakeholders

The environmental ministers must continue to push for sustainable energy solutions in existing and planned national and international environmental policies, also through more effective co-operation with authorities responsible for energy. Many environmental problems can only be solved with a government–wide and multi-stakeholder approach with a better coordination of energy and

environmental measures. As part of that must also be strategies to increase the role of the civil society and NGOs in the process. It is important that civil society and NGOs are involved early in energy decision-making processes to achieve better results for the society.

EFE SUCCESSES IN BIODIVERSITY CONSERVATION

A sufficient time has already passed since the launch of the EfE process (Dobris, 1991), the approval of the Program that fixed long-term environmental priorities at the Pan European level, and the endorsement in 1995 at Sofia of the Pan European Biodiversity and Landscape Diversity Conservation Strategy (PEBLDS), to identify some distinct and visible development stages for PEBLDS and related work.

Following the 1995 agreement, key PEBLDS issue areas were identified, important program documents, guidelines and recommendations were developed (e.g. for establishment of the Pan European Ecological Network – PEEN). In parallel, several projects were implemented to design national ecologic networks, e.g. in the Czech Republic, Slovakia, Poland, Lithuania and Estonia (in the framework of IUCN) or in Moldova and Ukraine (as national initiatives). In some countries, e.g. in Russia, the network of protected territories was actively extended. Some countries developed National Strategies and Action Plans for biodiversity conservation (NSAPs).

In 2000, at the Biodiversity Conference in Riga, with support of the Strategy Board, ECO-Forum initiated incorporation of NGO observers into the PEBLDS Bureau (ECO-Forum, IUCN, ECNC and BirdLife International.)

In the period before the Kiev EfE Ministerial Conference (2003) and the Biodiversity Conference in Madrid (2004), PEBLDS mainly switched to planning at the base of actions with secured finance support. However, attempts to strengthen PEBLDS institutionally had failed. At the same time, many countries developed NSAPs. NGOs made several steps for development of PEEN (e.g. the Indicative Map developed by IUCN), regional and local ecological networks (Russia and Moldova), for forest biodiversity conservation, etc. The Paris Conference (2002) recognised the need of natural biodiversity conservation in the framework of the High Natural Value Farmland concept.

At the same time, at different international fora, ECO-Forum many times stressed the lack of practical actions for biodiversity conservation and their obviously weak finance support by governments and donors. The development of PEBDLS Biodiversity Resolution approved by the Kiev EfE Conference became a major event. In order to promote specific actions and enhance responsibility of governments, the Resolution stipulated specific deadlines for identification of key components of national ecological networks and HNVPs, and granting them the status of protected territories.

The next period of development, that is expected to finish by the Belgrade Conference, was not any simpler. Attempts to strengthen PEBDLS in institutional and finance terms failed and the Strategy had to operate in a more modest format. Mobilisation of finance resources for biodiversity conservation projects became even more difficult. No substantial changes were observed in the sphere of actions for protection of natural biodiversity. Civil society responded clearly negatively to changes in management of protected territories in Russia. Actions of the Government of Ukraine in the Danube Biosphere Reserve often violated national and international law and were assessed negatively by the Academy of Sciences, many national NGOs, some countries and secretariats of international conventions. Biodiversity in the area was adversely affected, the newly dredged navigation channel returned steadily to its initial state and associated investments proved to be inefficient.

In 2005, the international conference was held in St. Petersburg in the framework of the Ministerial Process on Enforcement and Management in Forestry in Europe and Northern Asia (ENA-FEM) to identify joint actions against illegal use of forest resources and reduction of forest biodiversity. However, the approved “St. Petersburg Declaration” included merely a list of declarative intentions instead of a joint action plan as initially expected. There are no serious real positive changes in the sphere, and many countries have made no efforts to implement the declared intentions.

There have been some successes, such as the ECNC proposed development of indicative PEEN map for two major regions. The European Environmental Agency (EEA) has developed a system of environmental indicators for EU Member-states, and the UN ECE Working Group developed a set of such indicators for the EECCA region, initially in co-operation with national governments of EECCA countries and later in co-operation with EEA. The Natura-2000 Program is being developed in the EU and other programs have been developed in different

spheres of biodiversity conservation. Some protected territories were established in EECCA countries, while some Caucasian and Central Asian countries improved management of their protected territories. IUCN and the National Environmental Centre of Ukraine have continued planning a national ecological network. WWF had implemented a major project of designing the environmental network of the Central Asian region. IUCN and the Wildlife Protection Centre had implemented projects for development of ecological networks in some regions of Russia. Moldova has passed Law on the National Ecological Network and co-operation between the NGO Biotica and the Government has resulted in establishment of new RAMSAR sites and other changes.

ECO-Forum developed the first concept of HNVPs for EECCA in co-operation with the European UNEP Office, along with methods for assessment of their status, importance, trends and necessary actions for their protection. FAO has implemented some positive activities in the framework of the Russian-speaking LEAD Platform on Animal Husbandry and Environment in CIS countries and Mongolia. In particular, they found that EECCA countries lack legislative acts in the sphere of regulation of grassland ecosystems, covering huge areas in the region and producing the bulk of animal husbandry products in the region.

Reports from NGOs show that there have been only minor real changes in the sphere of practical actions for the implementation of NSAPs. So far governments have failed to make the special efforts needed for the establishment and legislative support of HNVPs, and they are paying inadequate attention to the development of national PEEN fragments and to the conservation of forest biodiversity. Donor support is also decreasing, except support of Dutch, Norway and German governments.

ECO-Forum notes that real efforts for biodiversity conservation, PEBLDS status and future, levels of finance allocations (particularly for PEEN and its national sectors, HNVPs and forest biodiversity conservation) are indicators of governments' care of the future of their peoples.

Recommendations

ECO-Forum notes the lack of progress in taking forward the necessary actions for the delivery of the PEBLSD strategy, and the continued lack of resources for such work. Many of the ecosystems within the UNECE region and especially within the EECCA region are of global importance. More suitably co-ordinated efforts must be made for

biodiversity conservation and for ensuring the future of PEBLDS, and this must include adequate resourcing.

EDUCATION FOR SUSTAINABLE DEVELOPMENT

In May 2003, at the Fifth Efe Ministerial Conference in Kiev, ministers issued their statement on education for sustainable development. The statement referred to their decision on development of a regional strategy on Education for Sustainable Development (ESD).

The Strategy was developed in 2003 – 2004 with active participation of all stakeholders and in partnership with NGOs. The document was developed in the framework of an open, transparent and constructive process. The Strategy was presented for approval at the 2004 session of the Environmental Policy Committee. The document actively supported by the overwhelming majority of countries but the negative position of the USA blocked consensus on approval of the Strategy in the framework of the Environmental Policy Committee and led to an inability to allocate funds from the regular budget of the Committee for activities on this issue. It was finally agreed that the Strategy would be approved on a special high-level meeting with participation of all stakeholders.

In March 2005, in Lithuania, the High-level Meeting of Representatives of Environmental and Education Ministries of UN ECE region was held. UN ECE Strategy for ESD was approved by all countries of the region (54 countries), except the USA. Besides that, a special program for implementation of the Strategy was approved – the Vilnius Implementation Framework. The Implementation Framework stipulates 3 stages: the short-term stage – up to 2007 (with national reports at the Belgrade Efe Conference), as well as the medium-term and the long-term stages. At the same meeting a unique special intersectoral body was established – the Steering Committee on ESD of the UN ECE region, with participation of environmental and education ministries, NGOs and international organisations.

The Steering Committee met in December 2005 and December 2006 to assess regional progress in the sphere of ESD. The European ECO-Forum is represented in the Committee itself, as well as in its Bureau and the special expert group for development of indicators for assessment on implementation of UN ECE Strategy for ESD. These indicators should provide a base for assessment of future progress.

The group developed indicators that reflect positions of all stakeholders (including NGOs). The indicators were approved at the session of 2006, In response to guidelines on application of these indicators in different subregions.

request of EECCA region, the group's mandate was extended for development of methodological At the both sessions of the Steering Committee, UN ECE countries (except the USA) presented their progress reports on the Strategy implementation. All countries of the region have appointed co-ordinators in charge of the ESD Strategy in environmental and education ministries. Now, these countries develop their reviews of the Strategy implementation to be presented at the Belgrade EfE Conference.

Successful partnerships with NGOs, including the European ECO-Forum, were demonstrated in the course of regional seminars on the Strategy in some subregions (the South-Eastern Europe, EECCA and EU countries). In the course of these events, independent experts and NGOs participated on equal grounds, presented their opinions and gave independent analysis of the Strategy implementation and ESD development. ECO-Forum has participated in discussions on the agenda and the special session on ESD with participation of environmental and education ministers, that will be held on the first day of the Belgrade EfE Ministerial. Co-operation with the process secretariat developed successfully as well.

The UN ECE Strategy for ESD has already played a major role in development of ESD in the region. It provides a framework for action, dialogue and interaction between education and environmental ministries of UN ECE countries. In addition, the Strategy required to appoint responsible officials in charge of ESD and to develop national ESD action plans. Within the first year, the Strategy was translated into national languages of the countries and broadly disseminated among stakeholders. Some countries have already established intersectoral ESD Councils at the national level, as stipulated by the Strategy.

Given that these activities only started in 2003 (with discussions on the concept and attempts to formulate definitions) this is a major step forward. Now we are at the stage of completion of the first stage of the Strategy implementation – the development of the enabling environment. As planned, this stage will finish later this year by progress assessment in Belgrade. Then, the countries will focus on more specific actions at the national level. The next progress review in 2010 should demonstrate more measurable results.

There is still insufficient interaction and lack of efficient mechanisms for co-operation between environmental and education ministries in some countries and this is a central obstacle to further progress in the Strategy implementation. Further implementation of the Strategy at the national level is simply impossible without jointly planned and implemented actions. There are also signs that optimistic reports on successes in ESD development actually reflect a substitution of concepts and mere replacement of the words “environmental education” by words “education for sustainable development” without any changes in substantive activities. In some cases there is inadequate understanding of the concept of education for sustainable development among officials in relevant ministries and agencies and there are attempts to reduce all ESD objectives to environmental education and awareness raising.

At the international level, a major obstacle for the Strategy implementation is associated with the US position. The USA seeks to exclude ESD from the sphere of competence of UN ECE Environmental Policy Committee and from the EfE process. In addition, the US block adequate (budgetary) funding of ESD activities. Such a situation makes the future of the Strategy implementation and associated long-term plans completely and directly dependent on provision of extra-budgetary funds for these activities. The same is true for support of the Secretariat as well (notwithstanding that even in such conditions, major successes were achieved). Participation of NGOs in the process also requires finance support, that is further complicated by the unstable situation.

It is necessary to decide in Belgrade on incorporation of ESD into permanent priorities of the EfE process and on further development of these successful activities in the framework of partnerships with all stakeholders (which have been a key success fact in progress made to date).

Recommendations

The Strategy for ESD has been one of the major positive outcomes of the Kiev Conference. It is important to implement the Strategy. The ECO-Forum welcomes support for this work from all 54 nations involved (all UNECE nations with the exception of the USA) and oppose any moves to exclude ESD from the EfE process. The situation where the USA blocks adequate funding of ESD activities within the UNECE is very regrettable. It makes the provision of extra-budgetary funds for these activities a priority and governments that support this process should work with NGOs to develop a sustainable funding programme.

PUBLIC PARTICIPATION

The Aarhus Convention is an important achievement of the EfE process. It now has 41 Parties with all but one EU member states being Parties to the Convention. Among EECCA countries only Uzbekistan and Russia have not yet acceded to the Convention. But despite that there are many aspects where the Aarhus process has not received enough support from UN ECE member states:

- There are countries in the region which still have not ratified the Aarhus Convention.
- Much work on ratification is needed to allow early entry into force of the Almaty amendment on GMOs, the Protocol on PRTRs and the SEA Protocol.
- Aarhus principles should be applied systematically both on the international and national levels, including the development of financial infrastructure and financial measures for enforcement of the Convention.
- Building upon Aarhus principles the EfE documents and decisions should be made easily accessible. Civil society organizations should be given full opportunities to participate in the EfE decision making process.
- UN ECE countries should systematically support its public, and in particular environmental citizens organizations, in taking part in participatory decision-making, in order to improve the quality and acceptance of its outcomes.
- Parties to the Aarhus Convention should put additional effort to implement Almaty Guidelines on PPIF and properly implement the provisions of Articles 7 and 8 of the Aarhus Convention, leading to meaningful public participation also in environment related strategic decisions, policy making and legislation.

The reluctance by many Parties and the European Community to fully implement the access to justice pillar of the Aarhus Convention raises growing concerns. Financial barriers in access to justice should be eliminated as well. Finally parties to the Convention should develop mechanisms for alternative dispute resolution.

The Belgrade Conference should not rest on the achievements already delivered but should ensure that the issues above are tackled and resolved in a strategic manner.

EFE SUCCESSES IN DEVELOPMENT OF POLLUTANT RELEASE AND TRANSFER REGISTERS

In 2003, the EfE Ministerial Conference in Ukraine approved a new international treaty – the Protocol on Pollutant Release and Transfer Registers to the Aarhus Convention on Access to Information, Public Participation and Access to Justice on Environmental Matters. The Protocol set minimal rules for national systems of public information on pollution sources. Public disclosure of qualitative and quantitative information on different pollution sources provides serious incentives to reduce pollution. Such governmental registers are broadly recognised as a tool for improvement of chemicals management, improvement of corporate reporting and attracting public attention to environmental problems.

Governments of UN ECE countries consider development of PRTRs as an important step in addressing problems of chemical pollution. So far, the Protocol has been signed by 38 countries, but only the European Community, Luxemburg and Switzerland have already ratified it. The only EECCA countries which have the Protocol are Armenia, Georgia, Moldova, Tajikistan and Ukraine. None of them have ratified the Protocol and established a national PRTR.

Nevertheless, it is important to emphasise that the Protocol provides substantial incentives for development of PRTRs in countries. In Ukraine, for example, efforts were made to compile a unified pollutant release and transfer register. Armenia, Azerbaijan, Belarus and Tajikistan developed proposals for support of establishment of national PRTRs. In the Russian Federation, 11 regional PRTRs were developed.

ECO-Forum believes that it is necessary to continue awareness raising campaigns and capacity building in the sphere of development of PRTRs. Such activities would help to mobilise public support and public pressure on governments, necessary to ensure ratification of the PRTR Protocol to the Aarhus Convention and active public participation in implementation of the Protocol.

In order to involve EECCANGOs more actively into development of national PRTRs, an Internet discussion on PRTR-related issues was held with support of UNITAR. The discussion was held just before the Second Conference of Parties of the Stockholm Convention in Spring-2005. The discussion confirmed importance of NGOs participation in development of national PRTRs.

Activities, proposed in the course of the Internet discussion, would support NGOs in their co-operation with other stakeholders (governmental agencies, local authorities, businesses, the academic community, etc.) on PRTR-related issues and would facilitate public participation in policy-making on PRTR development (for example, including plans and strategies for identification of pollution sources, strategies for mitigation of adverse health and environmental impacts of chemicals) at national, local and international levels.

Recommendations

It seems important to ensure that governments of countries with already established and operational PRTRs (as well as international organisations) actively promote sharing of good practices and demonstrated benefits of accession to the Protocol. Their experience of development of pollution registers would help to support the countries that have not already ratified the Protocol, and these countries would then get the necessary knowledge for development of national PRTRs.

Many countries are parties of the Aarhus Convention and the Stockholm Convention on Persistent Organic Pollutants (POPs). Moreover, in February 2006, countries (including countries of UN ECE region) supported the Strategic Approach to International Chemical Management. Campaigns in support of development of national PRTRs will be a step forward in fulfilment of national commitments under these international treaties.

ECO-Forum believes that NGOs may play an important role in both facilitation of implementation of PRTRs and in application of data they collect. Active participation of environmental NGOs has been an important feature in the negotiation of the UN ECE PRTR Protocol. We insist on NGOs involvement in the implementation and further development of the Protocol in all countries concerned.

COMMENTS ON MANAGEMENT OF WATER RESOURCES IN THE FRAMEWORK OF EFE PROCESS

Even though no fundamental documents on water issues were approved in the framework of the EfE process, decisions approved by Ministers in the process substantially influenced the fulfilment of countries' commitments under the Water Convention and the EU Water Framework Directive.

Fulfilling their commitments under the EU WFD (Water Framework Directive), being parties of the Water Convention of 1992 and having substantial finance support of the European Union, new EU member-states in the CEE countries started to implement river basin programs (the Danube, the Tisza, the West Bug, the Vistula, etc.) at the base of bilateral and multilateral agreements on protection of these rivers and the river environment.

EECCA countries that signed the Water Convention of 1992 (the Convention on Transboundary Waterways and International Lakes) and involved into EU technical assistance programs and other joint water-related projects, demonstrate now some positive results and examples of successful fruitful co-operation in development of monitoring, quality assessment of water bodies, flood-prevention, etc.

It is important to note that governments of the majority of Caucasus (except Azerbaijan) and Central Asian (except Kazakhstan) countries have not signed the Water Convention. Notwithstanding efforts of Central Asian countries and international organisations, water management problems in the region remain fairly acute, both in the transboundary context and in individual countries, while adverse impacts of these problems only get stronger (e.g. the Aral Sea disaster).

The Framework Water Directive poses strict requirements to EU member-states in terms of introduction of integrated water management and sets clear targets and progress indicators. New EU member states demonstrate political will and efforts to fulfil their international commitments under the Water Convention and FWD in conditions of substantial finance support from the EU. EECCA countries do not have such a strong motivation. Water management problems mainly remain unresolved, are paid low attention and get inadequate support of national governments. This is due to problems in EECCA countries associated with the period of transition to a market-based economy and difficult administrative reforms, and a lack of integration of environmental policy into social development processes and sectoral policies,

Notwithstanding efforts in the framework of the Almaty process to promote integration of environmental components into addressing problems of urban water supply and sanitation (resources allocated, pilot projects implemented, valuable data collected, analytical reports and methodological recommendations developed to support efficient reforms in the sector), EECCA countries still predominantly focus on the development of underlying laws and regulations, programs and

preparing to reforms. So far, issues of implementation of these reforms have not got the necessary understanding and support at national government level or at the local level. There is a major gap between plans of central governments and actual activities at the local level. As a result, there is almost no progress in meeting Target 10 (i.e. improvement of access of EECCA countries' citizens to safe water and adequate sanitation).

In the framework of EfE process, the Protocol on Civil Liability was adopted to two international conventions (the Water Convention and the Convention on Industrial Accidents). So far, only one country has ratified the Protocol (Hungary) from the overall list of 22 countries that signed it in 2003 in Kiev. Such a situation is a clear example of lacking the political will necessary to ratify a document after its signature.

The EECCA component of the EU Water Initiative has been developing rather slowly. Notwithstanding intensive activities and high expectations of EECCA stakeholders at the stage of assembling "construction blocks", in 2004–2005 they lost interest in the Initiative. Since 2006, from the launch and support of dialogues on environmental policy at the national level (including policy in the sphere of water-related issues), some EECCA countries have gradually renewed their interest in the Initiative. To a large extent, these dialogues require internal capacity building in EECCA countries, development of integrated water management, multisectoral participation and democratic standards. Continuation of these dialogues needs support from both EECCA countries and the EU.

Due to harmonisation of the Water Convention with the Aarhus Convention, principles of public information and public participation were supported by working groups under the Secretariat of the Water Convention. Some limited resources are allocated to support participation of public representatives in Conferences of Parties of the Convention, the Protocol on Water and Health to the Water Convention, in sessions of working groups and seminars – these arrangements facilitate provision of information to NGOs, including member organisations of the European ECO-Forum. Public representatives were always invited to participate in sessions of the Group of Senior Officials on Reforms of the Urban Water Sector and they were provided with opportunities to present their views and to participate in decision-making.

In the framework of the Almaty process, the public consultations were held for development of the Guiding Principles of Reforms in the Sector and the assessment of reforms in the sector prior to the meeting in Yerevan in 2005. The above public information and public participation elements are getting support at the level of regional and subregional events. It is necessary to promote these standards more actively in countries at national and local levels.

ACTIVITIES OF THE EAP TASK FORCE

The Task Force for Implementation of the Environmental Action Program for CEE (EAP TF) was launched in 1993 to support transition economies in implementation of the Environmental Action Program for CEE, to support political and institutional reforms in the sphere of environment. Initially, EAP TF activities covered the region of Central and Eastern Europe (CEE) and New Independent States (NIS). After the Aarhus Conference in 1998 that declared a "refocusing on NIS", the sphere of EAP TF activities was reduced to the NIS region.

Non-governmental organisations consider activities of the EAP Task Force as a fairly effective segment of EfE process. The key achievements include:

- 1) The EAP Task Force made a major contribution to dissemination of new approaches to environmental policy in transition economies, and in capacity building of many governmental officials in the sphere of environment.

In 1990s, when Environment for Europe process was launched, transition economies of CEE and NIS region underwent a difficult stage of transition from centralised planning and totalitarian state to market-based economy and democracy. In such conditions, they needed to make radical changes in the sphere of environment and to promote the necessary reforms. The EAP Task Force developed environmental policy recommendations, implemented demonstration projects and developed guidelines at the base of available best practices.

There are successes in almost all mainstream spheres of EAP TF activities:

- environmental financing;
- environmental policy, enforcement and compliance;
- water supply and sanitation.

The members of the Environmental Financing Network include both ministries of environment and

ministries of economy/finance, as well as representatives of local authorities. In the framework on environmental financing, demonstration projects were implemented in Armenia, Georgia, Moldova, Kyrgyzstan, the Russian Federation and Ukraine, the Manual for Assessment of Project Financed by Public Funds, the Best Practices of Management of Public Environmental Expenditures were developed, etc.

The Environmental Policy Network, also known as the Network for Implementation of Environmental Regulation Programs in EECCA countries (REPIN) facilitates a dialogue between ministries of environment and environmental inspectorates. To support environmental policy reforms in EECCA countries, the EAP Task Force developed “Guideline Principles of Efficient Environmental Permitting Systems”, “Recommendations on Assessment of Enforcement Activities”, etc. EAP TF recommendations were used for implementation of projects in Armenia, Belarus, Georgia, Kazakhstan, Russia and Ukraine.

The Network on Reforms in the Water and Sanitation Sector that unites ministries in charge of urban infrastructure and the environment has a major distinguishing feature – it actively co-operates with private companies and with the Working Group of the EU Water Initiative. In Armenia, Georgia, Kyrgyzstan, Moldova and Russia, “Finance Planning Tools for Water Utilities”, “Manual on Application of Performance-based Contracts” and other methodological and analytical materials of EAP TF are used for activities in the sphere of financing strategies, affordability assessment of water prices, development of contracts and harmonisation with applicable EU standards.

2. An efficient system of operations of the EAP TF Secretariat was established with a clear focus on needs of countries of the region, a well developed consultative process with participation of all stakeholders, highly professional staff—members of the Secretariat, who represent both OECD and EECCA countries and high level invited experts who are well aware of specific features of the region.
3. In the course of implementation of pilot projects in countries, in addition to addressing specific problems, methodological recommendations and guidelines were developed for implementation of similar projects in other countries of the region.
4. There are some successes in development of partnerships with NGOs. Representatives of NGOs of EECCA region actively participate in EAP TF activities, including working sessions, development of recommendations, reports and

implementation of demonstration projects. Represented by the European ECO-Forum, NGOs operate as official partners in the course of implementation of EECCA Environmental Strategy.

Problems:

1. The public sector is weak in EECCA countries. It is affected by frequent reorganisations and personnel reshuffle, and linked to the overall trend towards weakening of the environmental system and the low status of environmental agencies within the overall state governance system. On the one hand, in such circumstances, representatives of EECCA countries themselves do not participate actively in EAP TF activities. These circumstances put clear limitations on the application of outputs of EAP TF activities at national and local levels. However, on the other hand, in these circumstances environmental authorities of EECCA countries badly need support of EAP TF – a recognised international entity, operating at the base of OECD.
2. Some donors underestimate the role of EAP TF and intend to delegate its functions in the near future to the new regional environmental centres that are badly prepared to fulfilment of these functions.
3. Information materials of EAP TF are of great interest for EECCA countries but only limited numbers of copies of these publications are published. There is no system for broad dissemination of informational and methodological documents – as a result, it is impossible to ensure their use by the broadest possible range of stakeholders in our countries.

Recommendations:

1. Activities associated with provision of assistance to EECCA countries in the sphere of environmental policy, environmental financing, reforms in the water supply and sanitation sector, implementation of the EECCA Environmental Strategy, should be continued. As an institution, the EAP Task Force represent the optimal structure for co-ordination of its activities. The EAP Task Force should be strengthened, OECD should continue to serve as the EAP TF Secretariat.
2. Additional initiatives should be implemented for dissemination of results of EAP TF activities at national and local levels. Besides that, it is necessary to roll out experience of already implemented demonstration projects in other countries of the region. These improvements may be made by means of a broader co-operation with

regional and national partners, including NGO networks.

THE PROJECT PREPARATION COMMITTEE

The Project Preparation Committee (PPC) was established at the Second Efe Ministerial Conference in Lucerne (1993) as a sister organisation of EAP TF for mobilisation of environmental investments and improvement of co-ordination of activities between international finance institutions and donors.

NGOs have criticised the PPC many times for the closeness of its activities, lack of information and its unwillingness to involve NGOs. So far, the situation has not improved and as a result it is very hard for us to assess the activities of the PPC.

NEW RECS IN EFE PROCESS

In the period from 1995 to 2000, according to the decision of the Sofia Ministerial Conference, new regional environmental centres were established in the region of CIS countries – organisations similar to the Regional Environmental Centre for Central and Eastern Europe. The latter REC was established in early 1990s and had substantially contributed to environmental protection and development of the non-governmental sector in the region. The European Union and national governments of EECCA countries (except the Russian Federation) were founders of 5 new RECs (Caucasus, Moldova, Russia, Central Asia and Ukraine – the Ukrainian REC later ceased to operate). However, one can hardly assess the very fact of establishment of the new RECs as a success – their establishment has failed to produce the expected results. Indeed they have actually induced several conflicts due to the following problems:

1. The new RECs deviated from their initially planned format in terms of their missions and organisational types.

The Memorandum on Establishment of New RECs (1995) specified that the main mission of the new RECs includes support of public participation and development of environmental co-operation in the NIS region. Later on, in documents of the Aarhus Ministerial Conference (1998) and in some other documents new RECs were called to strengthen intersectoral co-operation. RECs used these recommendations for substantial diversification of their activities, and – in

essence – for a radical deviation from their initial mandate.

The mainstream activities of the new RECs incorporated organisation of meetings and seminars on a rather broad range of issues and publication of information materials (with rather limited circulation and often of questionable quality). Fairly often, instead of relative priorities of problems for a country or a subregion, selection of spheres of activities was associated with opportunities to get financing for a particular project or with opportunities to meet professional interests of REC managers. For example, in 2001, when governments and NGOs of the region started to co-operate actively for development of the EECCA Environmental Strategy and needed support, the new RECs followed their own initiative and developed the EECCA Strategy for Sustainable Development with substantial finance support of the European Commission. The latter strategy was outside the political agenda at that time and had failed to make any difference in activities on sustainable development in the region.

International organisations often selected the new REC for implementation of certain projects, notwithstanding that they had not the necessary capacity for their implementation. At the same time, some other organisations operating in the region did have the necessary capacity. As the new RECs intended to establish themselves in the broadest possible range of different activities, their activities have sometimes been scattered and superficial.

Initially, the new RECs were designed as neutral “service” organisations. As a result they were expected to operate as agencies and support activities in some priority spheres, but in reality the new RECs transformed into entities that implemented their own projects. In the course of their activities, the new RECs periodically fulfilled functions of NGOs, governments or international organisations. Since they did this without any legitimacy, they naturally generated conflicts.

Some activities were implemented in the framework of sub-regional initiatives (the Central Asian Initiative, the Mountain Initiative, the Water Initiative). In this connection, the REC of Central Asia was particularly active. Every REC maintains its grant program but their grant programs are too small comparatively to programs of other

organisations and cannot be used to provide a substantial support to regional NGOs.

2. The specific situation in EECCA countries in late 1990s – early 2000s and differences between it and the situation in CEE in early – mid 1990s were not duly accounted for.

In early 1990s, when environmental organisations only started their development, REC–CEE was a unique organisation with substantial finance support and highly skilled personnel – as a result, its capacity was extremely high, particularly in comparison with other organisations.

In late 1990s, the situation in EECCA region was radically different – at that time, numerous organisations operated efficiently in the region in diverse spheres of activities. By seeking to cover the broadest possible range of activity spheres, the new RECs competed with other organisations that often had a stronger capacity and as a result provoked conflicts.

3. The founders of the new RECs paid inadequately low attention to efficiency of their operations.

The founders mainly focused on the very fact of establishment and functioning of these organisations, instead of analysing their utility and the successful fulfilment of their official mission. On several occasions NGOs proposed to organise a broad discussion on activities of the RECs, but the European Commission rejected their proposals, attributing them to “envy” of NGOs. As a result, the actual output of the new RECs is more than modest in terms of cost efficiency and in comparison to multi-million funds, invested into the new RECs.

In order to ensure efficient continuation of the EfE process after the Belgrade Conference, it is necessary:

1. To define the role of EECCA RECs clearly, to identify their status vis a vis other participants of the process and their main functions.

The founders of the new RECs should reaffirm the initial function of the new RECs (i.e. to promote development of the system of public participation and co-operation in the EECCA region) and monitor fulfilment of this function. Successes in fulfilment of the main function of the new RECs should be considered as the key performance criterion. It is obvious that intersectoral co-operation is an important

tools for addressing environmental problems. However, this tool cannot work without strengthening of its weakest link – i.e. non-governmental organisations.

Development of co-operation in the EECCA region is still a relevant objective – notwithstanding different situations in different countries of the region, they still have some common features and common problems. As a result, exchange of experience and information still remains important for identification of solutions to relevant problems.

We again repeat our call for a broad dialogue of the founders, public authorities, NGOs and international organisations on improvement of effectiveness of the new RECs in the EECCA region.

2. To consider transfer of functions of the EAP Task Force to the new RECs as a premature step.

It is too early to consider the new REC as efficient entities with a sufficient capacity to replace the EAP Task Force in the region. They do not enjoy sufficient publicity and authority in the region, they do not have a sufficient capacity to fulfil these functions. The most serious obstacle is associated with the fact that the new RECs do not operate as an integral regional network – actually they use different formats of activities and follow different principles.

At the same time, the new RECs may make a substantial contribution into dissemination of information and materials of the EAP Task Force, into support of coalitions, councils and networks and particularly NGOs allowing them to play a major role in implementation of the EECCA Strategy. However, they should operate in a neutral manner, at the base of positions with involvement of all potential participants, without duplication of efforts of other organisations, that operate efficiently in the region and without competing with them.

ECO–Forum believes that the EECCA region needs one or several resource centres to provide information, methodological and organisational support to activities of the environmental community in the framework of EfE process. Precisely for this reason, NGOs at the Sofia Conference actively promoted the idea of establishment of the new RECs, and this problem still remains relevant in the EECCA region.

CONCLUSIONS

The key conclusion that we as NGOs draw from this analysis of the UNECE Environment for Europe process is that 16 years of the EfE process resulted in some obviously positive outcomes, in particular, in promotion of development of environmental democracy in the EECCA region, in development of the unique system of West–East partnership and in promotion of environmental policy reforms.

Now the main task is the timely and complete implementation of decisions adopted in the frame of EfE process. To achieve that it is necessary to conduct permanent progress assessment from the view of governments, international organisations and civil society groups. Besides that to be effective the process has to be developed on the high ministerial level, and thus legally binding instruments should be worked out. Precise and measurable responsibilities should be put upon countries participating in EfE process.

It is important to preserve regional scope of the process. Herewith countries should accept their responsibilities and confirm their interest to achieve progressive decisions on environment and development which lead towards improvements of the situation in the pan–european context.

Adequate level of financing of programs and projects in the frame of EfE process remains an important aspect. Without that it will be impossible to achieve progress.

We hope that the Belgrade Conference will develop means to enhance efficiency and significance of the process and to give it an additional impetus.

